G. R. S. 58]

Previous references.

G 277-08-1-10

1910-11

(Courts)

File No. 182-10

Serial Nos. 1-15

Later references.

CS-Dep 176-35

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-15

Part B for June 1912.

SUBJECT.

Reports on the inspection by Dt. magistrates of the courts of Assistant Commissioner magistrates.

Contents.

1. To all Dt magistrates. No J 1232-9 dated 15-10-10. Requests that Govt may be furnished with copies of not of inspection by Dt magistrates of all the courts of Asst Commissioner magistrates in their respective districts and if any courts has not been inspected within six months to Dec 1910, such courts may be inspected before 31st Dec 1910 and the reports submitted in the 1st week of January 1911

P.T.O.

Courts Dept 212

GPB—5,000—22-10-10

from the D.C., Shimoga. No 135/43 dated 10-11-41
sends copies of the inspection notes relating to all the Asst Com-
missioner magistrates' courts in the Dt.

from the D.C., Chitaldrug. No 194 dated 22-11-41.
sends the notes of inspection of the courts of the Asst Commr
taluk of Chitaldrug.

from the D.C., Mysore. No 863 dated 21-12-41.
sends the notes of inspection of the Courts of the Asst Com-
missioner magistrate of the Mysore Sub-division and States
as the Dt magistrate and Deputy Commissioner is doing
mabundi work, the inspection of the courts of other Asst
Commissioner magistrates will be finished by the end of
may 1941.

from the D.C., Chitaldrug. No 244 dated 26-12-41
forwards a copy of the notes of inspection of the Court of the
Treasury Assistant Commissioner magistrate of Chitaldrug.

from the same officer. No 295/43 dt 17-1-41.
forwards the notes of inspection relating to the courts of the
Assistant Commissioner magistrate of the Davangere Sub-
division.

7. from the D.C., Hassan. No 255 dated 18-1-41.
forwards copies of notes of inspection relating to all the
courts of the Hassan Dt.

8. from the D.C., Bangalore. No 324 dated 26-1-41.

9 from the D.C., Kadur. No 275 dated 27-1-41.
forward copies of notes of inspection relating to the Courts
of the Asst Commr magistrates of their Dts.

9.a. from the D.C., Tumkur No 290 dated 31-1-41,
forwards copies of reports.

10. from the D.C., Kolar Dt. No 6529/216 dated 10-2-41
forwards copies of notes of inspection of the Asst Commr
magistrates' courts of the Dt. & of the Court of the
Special magistrate K.G.F.

to the D.C., Mysore. No J 2501 dated 2-5-1941
Requests that the submission of the reports may be
expedited.

11. from the same officer. No 509 dated 13-3-41.
States that the notes of inspection of the courts of the
City magistrate, Mysore, will be submitted in two or three
days and those of the other courts by the 15th of May 1941.

[See the cover at the end.

G.R.S. 11] 1910-11

GENERAL AND REVENUE SECRETARIAT

(Courts)

NOTES.

C5 File No. 182-10.

FILE HEADING

Reports on the inspection by Dt Magts & the Courts of Assistant Commissioners Magistrates.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

1. To all Dt Magts: No. J. 1232-5 dated 15-10-10. Request that Govt may be furnished with copies of Notes of inspection by Dt Magts of all the Courts of Asst. Comr Magts in their respective districts, and that if any Court has not been inspected within six months before date of co the

NOTES—First sheet.

GPB—15,000—24-4-09

G. R. S. 12]
General and Revenue Secretariat.

C5 File No. 182 of 1910

Serial No.	
	Such Courts may be inspected before 31st Dec and the reports submitted in the 1st Week of Jany.
2	From the D. Dn. Shimoga. No. 135/23 of 26.10.10
	forwards Copies of the inspection notes relating to all the Asst Comr. Magts' Courts in her Dt.
3.	From the D. Dn. Chitaldroog No. 194 of 22.11.10
	forwards the notes of inspection of the Court of the Asst Comr Magte of Chitaldroog
4	From the Dn. Mysore No. 363 dated 21.12.10.
	forwards the notes of inspection of the Court of the Asst Comr-Magte of the Mysore Sub Dn and states that as the Dt Magte &c. is on Jamabandy work the inspection of the Courts of the other Asst Comr Magts will be finished by the end of February 1911
5	From the Dn. Chitaldroog No. 244 of 26.12.10.
	forwards a Copy of the notes of inspection of the Court of the Asst Comr. Magte of Chitaldroog.
6	From the Dn Chitaldroog No. 274 of 17-1-11.
	forwards the inspection notes relating to the Court of the Asst Comr. Magte of the Davangere Sub Dn.
7	From the Dn. Hassan. No. 253 dated 18.1.11.
	forwards Copies of inspection notes relating to all the Courts of the Hassan Dt.
8	From the Dn. Bangalore No. 324 dated 26.1.11
9	" " " Kadur " 275 " 27.1.11
	" 8 Copies of inspection notes relating to the Courts of Asst Comr Magts of the Bangalore & Kadur Dt Magts
(9a)	Dt Magte of Tumkur. (29) 31.1.11
	Forwards Copies of Reports.

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

Cb File No. 182 of 1910

3

Serial No.	
1	The reports from the Kolar Dt and those relating to the Asst Comr Magls' Courts & the Mysore Dt, except that of the Asst Comr & Magte of the Mysore Dn., are still due. Draft reminder to the Dn. Kolar is put up. The reports of the Mysore Dt like, if approved, be awaited as the Dn. has promised to submit them by the end of Feb 1911. Cb. 107 SN(11) 9/2/11 5/2 9/2/11 10/2
10	From the Dt Magte, Kolar Dt. No. 6529/216 dated 10.2.11. Forwards Copies & Notes of Inspection of the Asst Comr. Magls' Courts of the Kolar Dt & of the Court of the Spl Magte, Kolar Gold Fields & Reports from the Mysore Dt are still due and they will be awaited like the end of Feb 1911. Cb. 107 SN(11) 15/2/11. Why not issue a reminder SA Cb. draft 15/2/11 15/2/11 Draf

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

CS File No. 182 of 1910

Serial No.	
	Draft rem^{r} is put up.
	The issue of rem^{r} was proposed to be deferred till the end of Feb^{y} 4 as the Dist. in his letter No. 363 dated 21.12.10 stated that as he was engaged on January work the inspection reports would be submitted by about the end of Feb^{y} 911
	CS. 10/ SW(11) 16/2/11 16/2
	5 Ilsd 22/2/11
	To the District Magistrate of Mysore N J2501 & 2.3.1911. Requests that the submission of the reports may be expedited
11	From the Same Officer N 5098 & 13.3.1911 States that the notes of inspection of the Court of the City Magistrate Mysore, will be submitted in two or three days, and those of the other Courts by the 15th of April 1911.
6	Subd. The promised report relating

* for immediate disposal on Monday SW 4/8

Rem^{r} N J2573 & 7.3.11.

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

Cp. File No. 182 of 1910-11.

Serial No.

The Mysore City Magistrate's Court has not yet been received. Sd with a draft Calling for the same

DEC 3 (122) SW (11)
22-3-11.

Submitted herewith the Reports recd up to date. In the letter issued dated 15 Oct 1910, the Dt Magistrates were requested to submit their Inspection Reports of Subordinate Courts, and in cases in which there had been no inspection within the past 6 months, they were requested to hold such inspection before the 31st Dec2 and forward the Reports in the 1st week of January 1911. In several cases the inspections have been held after the close of 1910, and the Mysore Dt Magte says his inspection of the City Magte's is just complete & that the reports on other Courts may be expected by the 15th Proxo.

Secretary)

22. 3. 11

Subd. In the meanwhile, the following has been received.

12 From the District Magistrate of Mysore
N° 543 & 25. 3. 1911.

Forwards the notes of inspection of

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

of the Mysore City Magistrate's Court and promises to submit his report about the Nanjangud Sub Divisional Court by the end of this month.

Subd for orders.

HCS (122) SN (11)
28.3.11. 28/3/11

S Chair
Sd
3/3/11

1/4/11

13 From the District Magistrate of Mysore, N° 538 of 1.4.1911.

Submits his notes of inspection of the Courts of the 1st Class Magistrates in charge of the Nanjangud Sub-Division and the Yelandur Jaghir, and states that the notes of inspection relating to the French Rocks Sub Division will be forwarded by the 15th instant.

Subd for orders.

HCS (122)
4-4-11.
5 SN (11) 9.
5/4

(1) Await the remaining reports, issuing reminders if necessary.

(2) It is understood that

NOTE—Contn. sheet.

GPB—55,000—27.4.09

G. R. S. 12]
General and Revenue Secretariat.

Cfo File No. 182 of 1910-11.

Serial No.

these reports were called for by the Dewan as the inspection of the records of a case in a certain Magistrate's Court disclosed serious irregularities. These reports may perhaps be forwarded to the Chief Court for info, with the intimation of the circumstances under which they were called for by Govt.

7/4/4.

14 From the District Magistrate of Mysore, No 597 of 18-4-11
Forwards his report of the inspection of the Court of the French Rocks Sub Division.
Subd for orders.
HCS (122)
24-4-1911 10. The Inspection Reports disclose a number of irregularities, the chief of which are shown in a separate list. The Chief Court may be expected to take suitable action if the reports are forwarded to them

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

Courts File No. 182 of 1910-11

Serial No.	
	The more important of the irregs which may be brought to the notice Govt are :—
	(1) Irregularity in the Inspection of Courts. One Court had not been inspected for nearly 12 years.
French Rocks Comb	
	(2) Lack of promptitude in the disposal of cases by the Magistrate. One Case is reported to have been pending for 3 years
Chennarayapatna Sub-Dn	
	(3) Lax Supervision over the Office resulting in laxity in the administration of Stamp Rules, disposal of property, assortment of records, recovery of fines &c.
	In one Court Stamps purported to have been affixed to the records are not forthcoming — in other the Stamps have neither been defaced nor pun
	There are numerous cases of long delay in the disposal of proper

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

The despatch of records to the District Records does not seem to receive proper attention in a large number of the Courts.

12 Altogether the Courts seem to require at least two inspections every year for some time to come

13 The Reports read may be forwarded to the Ch. Ct

23/5/11.

Sec'y.

14. 2nd Cr + Dewan.

2167.

15 I should have expected that the issue of this Revenal order would have been brought to my notice at the time in accordance with the rules of business.

I am sorry the omission to send the draft to 2nd Cr before issue

16. Under S. 10 of the Chief Court Regulation, the Ch. Court is invested with the control and superintendence of all the Criminal Courts in the State; and under S. 554 of the

NOTE—Contn. sheet.

GPB—55,000—27-4-09

10

Serial No.

Code of Cr. Procedure, it has power to make rules for the inspection of subordinate Courts. I think that this order should have been sent through the Ch. Court: and the D. Magts asked to submit their replies and reports in the same manner. I find that not even a copy of this order was sent to that Court.

17 It would not be appropriate I think to pass any final orders or review the reports of D. Magts at this stage. The only course now open seems to be to send all the reports with some explⁿ of the cases giving rise to it, to the Ch Court and to request them to issue such orders as may be called for to remove the irregularities & defects brought to notice.

18 One inspection in a year of each Court seems to be quite ample.

I think that 31/5/11

NOTE—Contn. sheet.

GPB—55,000—27-4-09

11881
1.6.11

Serial No.

Inspection once a year at least by the Superintendent —

These inspections reports are not judicial but executive & in pursuance of the discipline which Distt Magistrates are expected to exercise —

If general views on the lines indicated in the Appt Secy's Note & appended (Routine Note) list may I think give with advantage Distt Magistrates may be expected to report separately upon individual cases of grave irregularity calling for the exercise of the plenary powers of Govt —

2 draft

4/3/12

4/3/12

11

Please put fair draft & submit 4/3/12

Subd. with a draft order.

K.N.(123) 22.3.12 S.N.(11) 25/4/12

4/3/12

4/3/12

Chief

no time is indicated 4/3/12

Note—Contn. sheet.

GPB—50,000—12-8-10

. R. S. 12]

General and Revenue Secretariat.

File No. 182 of 1910

Serial No.

Fair draft Submd.

K.N.(123)
6.5.12
6/5/12

8/5/12

(1st C.)

27- I have stated what I ~~has~~ ~~thought~~ ~~of~~ think of the manner of dealing ~~I has~~ with these reports. I have however no objn to the order being issued as drn by the Dewan-

8/5/12

Dewan

17/7/12
1263
12-5-12

2nd Draft submd
altered & approved
for early issue

8/5/12

10/5/12

16/5/12

28- Issue & submit to H/Sr Commissioner for perusal

20/6

Please see whether endorsements have been sent to the Sr Commissioners

Please

NOTE—Contn. sheet.

GBB—20,000—20-1-12

20/6/12

G. R. S. 12]

General and Revenue Secretariat. | C5 File No. 182 of 1910

Serial No. 15

To the Dy Magistrate of the Registrar, Chittagong.
No. J 3722-30. D. 24-6-12.

Notes the irregularities etc disclosed by the reports of Sheristadars, on the occasion of the first inspection of cases of Asst Commrs quarters by Dy Magts once a year should be of essential importance to the Chief Court & desires that it is carefully & regularly done.

NOTE—Contn. sheet.

GPB—20,000—20-1-12

9 Nov 10

To The Deputy Inspr of Dist Magistrate

Sir

J 1232-9 Dated the 15/10/10.

Sir

I am directed to request that you will be kind enough to submit for the information of Govt, Copies of your Reports or Notes of Inspection of each of the Courts of Petty Cognizance in your District - In any case in which there has been no inspection within the past six months I am to request that you will be good enough to do so before the 31 December next

And forward to Depot
Done in the first week
of January 1911

J. Lane

USA

[illegible]

[illegible]

Mrs Crumlar to
give Dalton Dyke

Issue with Bill early

[illegible]
10/10/10

[illegible]
15/10/10

[illegible]
11/10/10

1910 – 11

From K. Srinivasa Row Esqre
C5182-10-2 District Magistrate
Shimoga

To C. S. Balasundaram Iyengar Esq B.A.
Offg. Secretary to the Governmen
of His Highness the Maharaja of Mysore
General & Revenue Depts

Dated 26th October 1910

Despatched

Received

General No. 135
23

C/o File No. 182-
81 No. 2.

Enclosure No. 3

Forwards notes of inspection
of the Courts of the Assistant
Commissioners Magistrates
in the Shimoga District,
as called for in his letter
No. J1232–9 dated the
15th instant.

GPB—70 reams—27.12.09

District Magistrate's Court
Shimoga, 26th October 1910

No 1350 Gen 3
23

From K. Srinivasa Row Esquire
District Magistrate
Shimoga

To C. S. Balasundaram Iyer Esquire B. A.
Offg. Secretary to the Government of
His Highness the Maharaja of Mysore
General and Revenue Departments

Sir

In reply to your letter no: J 1232–9 dated 15th instant, I have the honor to forward herewith copy of the notes of inspection of each of the Courts of the marginally-noted Assistant Commissioners of this District, as called for in the above.

Name of Court	Date of inspection
Sub Division Magistrate, Sagar.	5th May 1910
Assistant Commissioner and First Class Magistrate, Shimoga Sub Division	5th and 6th September 1910.
Treasury Assistant Commissioner and First Class Magistrate Shimoga	13th and 14th June 1910.

I have the honor to be
Sir
Your Most Obedient Servant

K Srinivasa Row
District Magistrate
Shimoga

Notes on the inspection of the Registers and records of the Treasury Assistant Commissioner and 1st Class Magistrate's Court, Shimoga District.

Date of present inspection. — 13th and 14th June 1910.

Date of last inspection. — 30th June 1909.

Presiding Magistrate — Mr A. Varadarajaya Iyer Assistant Commissioner and 1st Class Magistrate was in charge of the Court till 26th July 1909, Mr R. T. Mahadeva Rao from 25th July 1909 to 22nd September 1909, Mr T. Thumbu Chetty from 23rd September 1909 to 30th September 1909, Mr G. Hanumanta Rao from 1st October to 7th February 1910. Mr. L. Krishna Rao, Assistant Commissioner and 2nd Class Magistrate continues in charge of the Court from 7th February 1910.

Register No: I of Regular Cases. — Since last inspection, 93 cases of the following description are entered in this register

register.

80 of offences under the Indian Penal Code.
11 " under the Arms Regulation
1 " " Forest "
1 " " Post Office Act.
93

2. Out of these 76 have been disposed of as detailed below:—

39 Ended in Conviction,
26 " in acquittal or discharge
6 " by Committal to the Sessions Court,
5 " by transfer to other Courts.
76.

3. The average duration of cases disposed of is 31.57 days while the average number of adjournments is 5.5. The average duration is high. The Magistrate will see in future that cases are disposed of promptly.

4. Appeals were preferred in 4 cases in all which the sentences of the lower Court were confirmed.

5. There are 17 cases pending on the file. The oldest of these is of 21st September 1909 relating to an offence under Section 302 of the Indian Penal Code.

Code. In this case the accused having been found to be a lunatic, the matter has been reported to Government under Section 466, Criminal Procedure Code.

Register No. III of Miscellaneous Cases.

7 Of the 28 cases entered in this register since last inspection,

15 are B Reports
7 " C —Do—
2 relate to proceedings under Section 145 Criminal Procedure Code,
1 is a complaint under Section 203, Criminal Procedure Code,
1 relates to proceedings under Lunatic Rules which has been transferred to the Regular file, as he is accused of an offence under Section 302 of the Indian Penal Code,
2 are complaints under 488 of the Criminal
28. Procedure Code.

8. Out of these 19 have been disposed of. and 9 are pending. The date of the oldest is 4th December 1909.

Register No: IV of Witnesses.

9 Of the 975 witnesses who appeared before the Court since

Since last inspection, 842 were discharged on the 1st day, 109 on the 2nd day, 15 on the 3rd day, 6 on the 4th day and 3 after the 4th day, and 528 were actually examined.

10 A fine of Rs 399 has been imposed since last inspection and the whole has been recovered. Register No VII of fines.

11 Out of fines amounting to Rs 372-8-- and related to previous years, Rs 100, have been ordered to be struck off the account as irrecoverable. The Magistrate should see to the early recovery of the balance of Rs 272-8-- or submit reports for orders if any of the items are irrecoverable.

12 Properties relating to 29 cases are pending disposal. Register No IX of property

13 In 13 cases the properties have been ordered to be delivered to the parties concerned. Notices should be sent to them early.

14 In 3 cases articles are detained pending the expiry

expiry of appeal time.

15 In 3 cases the articles have been received from the Sessions Court to be disposed of according to Law. Necessary enquiry should be made early and the articles disposed of.

16 Vouchers for the articles delivered through the Police have not been received. They should be obtained and filed with the records, a note of the same being made in the register.

Register No: XI of Stamps.

17 The entries in this register were compared with the records in the following cases and found to agree:-

Regular Cases Nos 12, 13, 20, 27, 45, 54, 75 and 76 of 1909-10, and Miscellaneous Cases 2, 3, and 9 of 1909-10.

Register No: XIV, Cash Book.

18 The entries in this register were compared with those in Register No VII and found to agree.

(6)

Is written upto date. Diary.

(7)

The records have been Records.
duly indexed and sorted.

Sd/ M. Narain Rao

District Magistrate.

"Copy"

K. Srinivasa

District Magistrate

Shimoga

lm

Memo of inspection of the registers and records of the Sub Division Magistrates Court, Sagar.

Date of present inspection. 5th May 1910.

-Do- of last inspection. 14th May 1909.

Presiding Magistrate. Mr. M. Sreenivasa Murti continues to be in charge of the Court.

2 " Mr R. T. Mahadeva Rao, Assistant Commissioner and 1st Class Magistrate was in charge of the Court from 6th to 22nd June 1909 during the absence of Mr M. Sreenivasa Murti on leave.

Register No: I of Regular Cases.

3 Since date of last inspection 77 cases have been entered in this register. Of these 68 relate to offences under the Indian Penal Code.
7 " to offences under the Arms Regulation
2 " Under the Excise Regulation
77.

4 Of these 46 have been disposed as detailed below: —

18 ended in Conviction
19 " in Acquittal or discharge
6 " in Committal to the Sessions Court
3 " by transfer to other Courts.
46.

The average duration of cases disposed of is 33 days while the average number of adjournments is 4.18. Average duration

Many adjournments are granted in cases 55 of 1908-09, 1, 11, 14, 17, 22, 27, 30, 32, 34 of 1909-10. The Magistrate will, it is hoped, try to minimise such adjournments.

Appeal was preferred in one case in which the Conviction and Sentence was upheld.

There are 31 cases pending disposal. The oldest is of 5th August 1909. In this case 7 adjournments have been granted as no Police Officer appeared for conducting the prosecution. On the reference of the Sub Division Magistrate to this Court on the Subject, the Superintendent of Police has

has been directed to arrange for the prosecut.... of the case. The Magistrate should see that cases institutes from September to October 1909 which are pending and in which 2 to 4 adjournments have been granted are disposed of early

Register No. III of Miscellaneous Cases.

9 The 52 cases entered in this register since date of last inspection are of the following description :—

22 are B reports
8 are C —do—
3 are complaints dismissed under Section 203, Criminal Procedure Code.
1 is a complaint dismissed under clause 3 of Section 204, Criminal Procedure Code.
1 is an application for release of property under attachment in Connection with a Criminal Case.
2 are applications for maintenance.
1 relates to proceedings taken under 145 Criminal Procedure Code.
2 —do— to disputes to immovable ~~improvable~~ property.
1 —do— —do— proceedings under Section 107, Criminal Procedure

Procedure Code

1 is a Police report under Section 157, Criminal Procedure Code.

10 Are proceedings taken under Section 514, Criminal Procedure Code.

52.

Of these 35 have been disposed of and 17 are pending. The oldest of these is of 31st January 1910.

Since date of last inspection 1059 witnesses appeared before the Court, of whom 842 were discharged on the 1st day, 163 on the 2nd day, 44 on the 3rd day, 3 on the 4th day, 7 after four days. Of these 330 were discharged after examination. Register No: III of witnesses.

1 Since date of last inspection, a fine of Rs 455 has been imposed, out of which Rs 79 have been recovered. Register No VII of fines.

Out of the arrears of Rs 60/- of the previous Rs 50/- have been remitted as the same was irrecoverable and Rs 10 have been recovered.

1 Items connected with case No: 85 of 1897-98, 40 of 1899-1900, Register no: IV of Properties.

9 ~~of~~ 1902-0 of 1902-03 and 2 of 1904-05 and 51 of 1906-07 are pending as the accused have absconded.

Register no: XI of Stamps 15 The entries in this register were compared with the records in Criminal Cases nos. 2, 3, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 28, 31, 33, 34, 38, 40, 43, 49; 53 of 1909-10, and found to agree.

Register no: XIV, Cash Book. 16 The entries in this register were compared with those of No: VII and found to agree.

Diary. 17 Is written up to date.

Records. 18 Records up to end of 1907-08 have been sent up to the District Records. They have been sorted and indexed.

In most of the cases the date of presentation and the name of the person who presented the complaint have not been noted by the Magistrate on the petition. The Magistrate's attention is drawn to the Chief Court Circular letter no: 120 dated 11th November 1895.

page 12 of the Digest (last para)

Alle

9 All the registers require re-binding.

Sd/ K. Srinivasachar.

District Magistrate.

"Copy"

K. Srinivasachar

~~District~~ Magistrate

Shimoga

Co.

Notes on the inspection of the
Registers and records of the Court of the Assistant
Commissioner and 1st class Magistrate
Shimoga Sub-Division.

Date of last inspection.

13th and 14th June 1910.

Date of present inspection.

5th and 6th September 1910.

Presiding Magistrate.

Mr. G. Hanumantha Row, Assistant Commissioner and 1st class Magistrate.

2 Register No. I of Regular cases.

Since last inspection 33 cases are entered in this Register. Of these 26 relate to offences under the I. P. C.

5 " to offences under the arms Regulation.

1 " " under Forest Regulation.

1 " " Proceedings under section 109 of the C. P. C. wrongly entered in this register which should be transfer-red to the miscellaneous file.

3 Out of the above 32 cases, 7 ended in conviction, 4 in dis-charge or acquittal and three were transferred to other Courts.

4 The average duration of cases disposed of is 8.2 days, while the average No. of adjournments is 1.2.

5 There are now 27 cases pending including those that were filed prior to last inspection as detailed below:-

Case No. 93 of 1907-08.

6 This was instituted on 27-6-08 for an offence under section 408 I. P. C. against the agent of the Agricultural Bank. The accused has absconded. Proclamation was issued on 1-9-09.

Enquiries are being made about the whereabouts of the accused. No action has been taken under section 88 of the Criminal Procedure Code. This should now be done.

7 Case No. 94 of 1907-08.

Instituted on 27-6-08 for an offence under section 403 of the I. P. C. Accused has absconded. Proclamation was issued on 1-9-09. Enquiries as to the whereabouts of the accused are being made as per orders passed on 29-7-10. Steps have not been taken under section 88 of the C. P. C. This should now be done.

8 Case No. 63 of 1908-09.

Instituted on 8-6-09 for an offence under section 302 of the I. P. C. The accused has absconded. Proclamation has been issued. No action has been taken under section 88 of the Criminal Procedure Code. It should now be done. On the application of the Inspector of Police the case was posted to 17-8-10 for the examination of the prosecution witnesses under section 512 of the Criminal Procedure Code. As the Inspector did not appear on that date it was re-posted to 10-9-10 as requested by him.

9 Case No. 65 of 1908-09.

This was instituted on 26-6-09 for an offence under section 381 I. P. C. In this case application for the issue of extradition warrant had been made. The Secretary to Government has in his No. J. 456/ cts 277-08-10 dated 13-8-09 intimated that the man of the description given was not traceable. On 7-9-10 the Magistrate has ordered that the Police should be asked as what they have to say in the matter.

10 Under Chief Court Circular letter No. 144 of 5th December 1899 the above 4 cases ought to have been struck off the file if all the procedure prescribed for securing the presence of the accused had been gone through.

11

Case No. 10 of 1909-10.

~~This was a~~ This was complaint under section 500 I. P. C. referred by the District Magistrate on 21-9-09. The complainant's statement was recorded on 22-9-09 and the case was posted to 2nd November 1909. As one of the witnesses said to be important was absent the case was adjourned to 25-11-09, again to 3rd January 1910. On this date as one of the accused was absent and as the then presiding magistrate was in temporary change of the court the case was adjourned sine die as the magistrate thought he would not be able to finish the case before his successor arrived. As the same magistrate continued in charge of the court, on 3rd March 1910 the case was posted 11th idem to be heard at Siralkoppa. As the processes were not returned served and as the accused and witnesses were not present it was adjourned to next day. On that date it was adjourned to 1st April 10 to be heard at Shimoga at the reques(of the parties. On this date it was adjourned to 2nd May 1910 at the request of the accused's counsel to enable him to apply for the transfer of the case to the Sagar Sub-Division Magistrate's Court. The application for transfer was refused by the District Magistrate and the orders were communicated on 13-6-10. On 27th July 10 the case was posted to 2nd September 10. On 2nd August 10 it was reposted to 5th September. On this date it was adjourned to 27th idem as all the witnesses and the accused were not present

12

Case No. 11 of 1909-10.

Complaint under section section 500 I. P. C. This was referred by the District Magistrate on 21-9-09. The complainant's statement was recorded on 22-9-09 and the case was posted to 2nd November 1909. As one ofthe witnesses said to be important the case was adjourned to 25-11-09 again to 3rd January 1910. On this date as one of the accusdd was absent and as the presiding Magistrate was in temporary charge of the court the case was adjourned sine die as the magistrate thought he would not be able to finish the case before his successor arrived. As the same magistrate continued in charge of the court, on 3rd March 1910 the

case was posted to 12th idem to be heard at Siralkoppa. As the processes were not returned served and as all the accused and witnesses were not present it was adjourned to 1st April 10 to be heard at Shimoga at the request of the parties. On this date it was adjourned to 2nd May at the request of the accused's counsel to enable him to apply for the transfer of the case to the Sagar Sub-Division Magistrate's court. The application for transfer was refused by the District Magistrate and the orders were communicated on 13-6-10. On 29th July the case was posted to 5th September. On this date it was adjourned to 27th idem as all the witnesses and the accused were not present.

13 Case No. 47 of 1909-10.

Offence under section 323 of the I. P. C. instituted on 5th March 1910 by transfer, was posted to 9th September 10 on 29th July 1910.

14 Case No. 55 of 1909-10.

Is an offence under Arms Regulation. Received on 2-3-10 by transfer, from the Treasury Assistant Commissioner Magistrate's court. On 4-5-10 it was posted to 11th idem and was adjourned to 21st as the Magistrate was about to go to Shikarpur. As the accused did not appear on that date on the 31st May 1910 summons were issued to the accused to appear within 3 days of its service. As the notice was returned unserved orders were passed on 29th July 10 calling upon the Police to report why the notice was not served etc,. On 7-9-10 a reminder was ordered to issue.

Case No. 58 of 1909-10.

Offence under section 409 I. P. C. Instituted on 22nd December 09 in the Treasury Assistant Commissioner Magistrate's court was received in this court on 3-3-10 by transfer. On 31-5-10 it was posted to 10-6-10 to be heard at Shikarpur. As the Magistrate did not go there on that date orders were reserved to 13th idem, thence to 14th. On this date the case was posted to 2-7-10

As the Magistrate was ill on that date the case was adjourned to 22nd @ July 10. Again to 23rd at the request of the accused to engage a counsel. On this date two witnesses for prosecution were examined and adjourned to 4th August for the examination of the remaining witnesses. As the Head Gumasta was absent it was adjourned to 5th idem, then to 6th and then to 8th for orders. At the request of the accused's counsel it was adjourned to 13th, then to the 15th as the magistrate was engaged in other work, again to 16th and 18th. On the 18th it was adjourned to 2-9-10 for the appearance of some more witnesses. Three witnesses were examined and adjourned to 5th for orders, then to 8th for want of time. On the 8th it was adjourned to 23rd for the appearance of one witness whose examination was found necessary.

17 Case No. 60 of 1909-10.

Offence under section 500 I. P. C. This case was instituted on 13-6-10. Posted to 2nd August 1910. On this date the record were submitted to the District Magistrate for being transferred to @ the Treasury Assistant Commissioner Magistrate as the jurisdiction of the taluk concerned was vested in him. The records were returned to this court on the 6th idem and the case was posted to 10th September 1910.

18 The other cases viz, Nos. 5, 6, 7, 8, 9, 10, 12, 13, 17, 18, 20, 22 to 27 are those filed in August 1910.

19 From the above it is observed that the Magistrate was not prompt in disposing of the cases.

20 Register No. III of Miscellaneous cases.

Since last inspection 24 cases have been entered in this Register. Of these 5 are complaints dismissed under section 203 C. P. C. 2 are complaints under breach of Contract Act struck off the file. 8 are B. reports. 7 are C. reports. 1 relates to proceedings under section 109 C. P. C. 1 under section 145 C. P. C

All these except one relating to proceedings under section

145 C. P. C. and one B. report have been disposed of.

21 The above 2 cases and 3 of those filed prior to last inspection are now pending. In addition to these 1 petition for orders under section 145 C. P. C. and another C. report not registered remain undisposed of. In all 7 miscellaneous cases are pending and the particulars of these are as detailed below:-

22 Criminal Miscellaneous Case No. 7 of 1909-10.

This is a complaint under the Breach of Contract Act referred by the District Magistrate on 27-9-09. Complainant's statement was recorded on 19-10-09 and was posted to 4th November 09. Two adjournments were granted on account of the accused's absence and as he was not served with summons. On 3rd January 10 to which date the case had been adjourned the complainant did not appear and the warrant issued against the accused was not returned. As the warrant was returned unserved and the magistrate was in temporary charge of the court on 8th January 10 it was adjourned sine die. Till 31st May 1910 nothing was done in the case on which date notice was ordered to issue to complainant to appear on 14th June 10. As the notice was not returned and the complainant did not appear it was adjourned to 21st idem. On this date it was adjourned to 28th idem and a fresh notice to complainant was ordered. On 29th July 10 it was adjourned to 1st September, then for orders to 5th idem. On the 7th September it was adjourned to 26th idem and a fresh notice was ordered to issue.

23 Case No. 8 of 1909-10.

This is a B report on a complaint of an offence under section 392 I. P. C. The report was received on 22-10-09. Notice was issued to complainant to appear on 1-12-09. He appeared on 20th December 09 to which the case was adjourned. On this date it was adjourned to 13-1-10 for want of time. On this date the complainant appeared and represented that his witnesses were not examined by the Police. Thereupon the Police reported that the complainant did not produce his witnesses, that the case may be struck off and that sanction may be accorded to prosecute him for giving fals

information. In pursuance of the notice issued the complainant appeared on 14 and 21-6-10 and represented that his witnesses did not come on account of plague. Therefore the records were sent back to the Police on 21-6-10 and the complainant was given a fortnight's time to produce his witnesses. Again on 20-7-10 the Police reported as before. On this notice was issued to complain-ant to appear on 26-9-10.

24 Case No. 10 of 1909-10.

This is a petition for sanction to prosecute the opponent under section 211 and 193 I. P. C. Notice was issued to the opponent to appear on 12-1-10. As the notice was returned unserved the opponent who did not appear the case was adjourned sine die pending the arrival of the successor to the magistrate. No orders have been passed in this case.

25 Case No. 8 of 1909-10.

This is a B report received on 15-7-10 on a complaint under section 354 I. P. C. No action seems to have been taken.

26 Case No. 9 of 1909-10.

This is a Police report for orders under section 145 C. P. C. was received on 6-6-10. On 15th August 1910, a reminder was received from the Police Inspector. Thereupon on 18th August 10 the clerk was called upon to explain the cause of delay in submitting the papers for orders. On 24th August the clerk was fined 4 annas for not submitting the explanation as called for. On the explanation of the clerk now doing duty stating that he received the papers on the 16th August 1910 the papers were ordered to be brought up the next day.. Meanwhile another reminder was received from the Police for early orders in the matter. On 27-8-10 notices were ordered to issue to parties to put in their written statements on 8th September 1910 in respect of their claims. On this day as one of the parties failed to appear and the Magistrate was to be relieved of the charge of the court it was adjourned to 19th idem.

Petition of one Nandi Basappa for orders under section 145 C. P. C. in respect of a land was referred by the District Magistrate on 6-6-10. On 27-7-10 notice was issued to petitioner to appear on 4-8-10. On the 6th idem to which the case was adjourne the petitioner's statement was recorded and the Police were asked to report if any action was necessary in the matter. The Police report that orders under section 145 C. P. C. was needed was received on 29-8-10. On this notice has been issued to the petitioner to appear on 14-9-10. This case has not been brought on the miscellaneous file.

27 A C. report on the complaint of an offence under section 304 I. P. C. received on 4-8-10 is not taken on file. On this Magistrate has ordered that the papers should be read to him. On 7-9-10 the Magistrate has ordered that clerk Venkata Row (now on leave) did not bring up the papers and has issued notice to complainant to appear on 26th September 1910.

28 The remarks made above in connection with regular cases apply to these cases also. The magistrate's dilatoriness in not taking action under section 145 C. P. C. in case No. has resulted in the parties taking the law into their own hands. There was a free fight between the parties in regard to this dispute. They are now being prosecuted for rioting.

29 Register No. IV of witnesses.

Since last inspection 251 witnesses appeared before the Court Of these 143 were examined and 171 were discharged on the 1st day 49 on the 2nd day, 16 on the 3rd day, 12 on the 4th day and 3 after 4 days.

30 Register No. VII of fines.

Since last inspection fines amounting to Rs 135/- have been imposed and recovered. Fines amounting to Rs 266-13-0 imposed during the previous years as shown below still remain to be receovered.

Rs 1-0-0. in Criminal case No. 62 of 02-03.
41-0-0. ------Do------ 32 --Do--
112-0-0. --- --Do------ 7 [illegible] 04-05.
87-13-0. ------Do------- 36 ----Do-----
25-0- 0. ------Do------- 46 of 06-07.

31 Warrants issued for the receovery of the above items are said to be still pending with the Police. The District Superintendent of Police will be addressed to hasten their disposal.

32 Register No. IX of properties.

There are 420 articles relating to 61 cases of which 8 do not belong to any case. Of the total 420 articles only 5 are pending disposal awaiting the expiry of appeal time and only two are of pending cases.

33 In regard to the 8 articles about which no reference is avail -able no steps have been taken for their disposal.

34 Articles produced in criminal cases Nos. 19 and 48 of 02-03, 55, 79, 81 & 89 of 07-08, 58 & 60 of 08-09, 20 of 09-10 returned from the Sessions Court have not been disposed of. The articles produced in criminal case No. 19 of 02-03 have been ordered to be delivered to 1st witness for prosecution. He is reported to be dead and was unmarried. His mother and one Ananthia alleged to be his adopted son claimed the articles. These parties have been ordered to produce heirship certificate. The magistrate was directed to enquire into the claims himself and dispose of the articles. This has not been attended to.

35 Articles produced in Cases Nos. 48 of 02-03, miscellaneous case Nos. 5 & 32 of 06-07 and No. 91 of 04-05 and Revision Case No 69 of 05-06 remain undisposed as it is not ascertainable to whom these are to be delivered. Information had been called for from the Police. No further steps have been taken in the matter.

36 The articles produced in criminal case No. 44 of 04-05 have been detained on the reference of the Superintendent of Police on

account of another case. Nothing has been heard from the Police. A reminder should be sent and steps taken for their early disposal

37 The articles produced in criminal case No. 92 of 05-06 remains undisposed as the original order passed for their disposal on the property list is not available and has been called for from the Police.

The articles produced in criminal cases Nos. 22 of 08-09 and 4 of 09-10 which are to be delivered to the accused should have been sent to the jail with the accused. Steps were ordered to be taken to ascertain the whereabouts of the prisoners and to deliver them. This has not been done.

The articles produced in criminal cases Nos. 2 & 28 of 06-07, 19 of 07-08 and 62 of 08-09 remain as the parties concerned have not appeared in spite of notices. During the last inspection fresh notices were ordered to be issued informing the parties to take delivery on day to be fixed and on failure thereof the articl be disposed of as unclaimed property: This has not been attended to.

Claimants were invited in regard to the articles connected with case No. 50 of 06-07. None appeared and the time fixed in the notice has expired. These were ordered to be sold but nothing has been done.

The articles produced in criminal cases Nos. 63 & 65 of 08-09 remain undisposed of as the accused have absconded.

The articles produced in 48 cases remain unnecessarily undisposed though the appeal time has expired in these cases. The Magistrate should see to their disposal.

Register No. XI of Stamps.

The entries were compared with the records of the current year and found to agree.

Register No. XIV

44 The entries were compared with those in Register No. VII and found to agree.

45 Diary

Is written up to date.

46 Records.

Records have been indexed.

Sd/. K. Srinivasa Rev,
District Magistrate.

"Copy"
K Srinivasa
District Magistrate
Shimoga District

190

From The District Magistrate
C5782-10-3 Chitaldroog

To The Secretary to Govt
Jeud & Rev Dept
Bangalore

Dated 22

Despatched 29 November 19

Received

General No. 194
No.

Enclosure No. 1

Forwarding Copy of
Notes of Inspection
Tour of the Court of the Asst
Tour Chitaldroog (Mr. Rice
Class Magte) held
on 15-11-10

W 194
En 1

Office of the District Magistrate
Chitaldrug District.
Dated, Chitaldrug, 22nd Novr 10

To

M. Chengiah Chetty, Esquire, B.A
District Magistrate
Chitaldrug District

To

C. S. Balasundaram Iyer, Esquire, B.A.,
Offg: Secretary to the Government of
His Highness the Maharaja of Mysore
General Revenue Depth
Bangalore

Sir,

I have the honor to forward herewith a Copy of the notes of inspection of the Court of the Assistant Commissioner and 1st Class Magistrate, Chitaldrug held by me on the 11th November 1910, as called for in your Office No. J 1232-9 dated 15th October 10.

I have the honor to be
Sir
Your most Obedient Servant

District Magistrate.

Notes of Inspection of the Court of the Assistant Commissioner and 1st Class Magistrate, Chitaldrug.

Date of Inspection - 11th November 1910.

Presiding Magistrate. Mr. A. Mrityunjaya Iyer - 5-8-09 to 4-5-
" T. Rayalu Chetty 11-5-1

Case No. 1 of 09-10.

1. The accused - a boy of 18 years is charged with the offence of misappropriating two Government Service Stamp of the value of one anna which are stated to have been found by him under the table of the Head Master,

Industrial School at
Molokai.

The accused - a person in the said School admits the guilt but pleads that as he did not know that they were Government Service Stamps, he used them for his own purpose, thinking that he could replace them by fresh ones from the Post Office.

Before the Case Came on before the Magistrate, the accused had admitted all these facts before

the

the Head Master, who has stated that the accused was departmentally punished.

4 Considering the youth, the antecedents of the accused and the circumstances under which the accused found and used the stamps valued at one-anna only, the Magistrate could well have dealt with the accused under Sec 562 Cr. P.C, as he was himself competent to do so, instead of punishing

him with a fine of
Rs 5/-. In this Connection
the Magistrates' attention
is drawn to Government
Proceedings No- J 664-74
-Pris: 64-09-5 dated
29th August '05.

4 of 09-10.

b. A hide of a
buffalo produced in
this case was ordered
on 10.9.09 to be
treated as unclaimed
property. In the
register, it is noted
that this hide was
left with the Patel
of the village for
production before
the

the Court, whenever required.

6 No steps have yet been taken to dispose of this property, though nearly a year has elapsed, since the date of the order of the Court.

Case Nos. 28, 27, 26 and 41 of 1909-10

7 In these cases, the mahazars prepared by the Police are marked as Exhibit A for prosecution, which is clearly contrary to the directions Contained in Chief Court Proceedings No — dated 20th October 1896.

Page 43 of the Criminal Digest.

3v

Again in Criminal Case No. 31 of 1909-10, the Court has admitted an inquest report made by the Police, as an Exhibit and marked it as (A) for prosecution, which is also clearly wrong.

Q. The attention of the Magistrate is therefore drawn to the said proceedings of the Court for future guidance.

Case No. 6 of 09-10.

The Complaint in this Case was to the effect ~~that~~ that the

the accused assaulted the complainant and after wrongfully confining the complainant took from him a sum of Rs 3/-.

10 The case was taken on file on 21.8.09. Only three witnesses were examined for prosecution and 4 for defence and two as Court witnesses. The case was dragged on for nearly 4 months with 15 adjournments & was finally disposed of on 21.12.09, acquitting the accused. It is hoped that long delays in the disposal of such

Simple cases will, in future be avoided.

Case No- 39 of 09-10.

The Complaint in this Case falls under Section 506 I.P.C. The Magistrate has on the date of hearing accepted a razinama petition without any stamp affixed thereto and acquitted the accused under 345 Cr. P. C.

The Magistrate has On the same date recorded Separately the Complainant's Statement to the effect that he has Compromised the Case with the accused.

If a vazuiama was deemed necessary, a stamped one should have been accepted.

61 of 09-10. 12 After the complaint was presented to the Court, the Magistrate examined the complainant upon oath under S. 200 Cr. P. C. and recorded his Statement as follows:—

" It is I who wrote the petition. All that is contained therein is true."

13 Under the above Section, the Magistrate is expected to

to make the enquiry
sufficiently full
to enable him to
judge whether there
were any grounds
for proceeding —
(B.C. Cr. Cir P. 14).
What is contemplated
by the Section is not
a mere form but
an intelligent
enquiry into the
subject matter of
the Complaint.

An 8-anna Stamp affixed to the vazhiyana presented by the parties has not been taken into account in the Stamp register.

50 of 09-10.

15

No 17 of 10-11

The articles produced in this case are: —

(1) A bunch of keys

(2) A knife.

(3) An iron lock.

(4) A key.

16 The accused was charged with and convicted of an offence falling under Sec 457 I.P.C.

17 The Magistrate ordered that articles 3 and 4 of these are to be returned to the 1st Prosecution witness and articles 1 and 2 to be confiscated to Government.

But an order of Confis-
-cation does not seem to
have been Contemplated
by Sec 517 Cr. P. C,
though it says that
the "Court Can pass
such order as it
thinks fit to pass
regarding the disposal
of property produced
in the Case". - Vide
C. W. N. 597 (Sohoni
P. 971 - para 9) and
Mysore Chief Court
reports. Jayamma
vs Government of Mysore
Vol XII page 194.

:- In thus passing
an

an order of Confiscation, the Court will be debarring the rights of an innocent lawful Claimant who could otherwise have Claimed them under the provision of the law.

gister No III

Miscellaneous Register.

19 36 Cases were instituted in 09 – 10 and in 3 in 10-11. All these except one have been disposed of-

Register No. IV (of witnesses)

20 This register is written up to date. In the majority of Cases, witnesses have been dispensed with

On the 1st day alone and explanation for not examining the witnesses and on any day have been duly noted in Col: 12 of the Register.

Register No. VII and XIV

Fine and Cash Registers

2) The entries in the Fine Register are Compared with those in the Cash Register and are found to agree with one another. In a few instances where the fines recovered were not Credited to the Treasury on the Same day, it is Satisfactorily explained in the

the Cash Register as to why it was not done so.

2. Fines and Compensation amounts, which were ordered to be refunded have in several instances remained undisbursed to the respective parties from a long time. Again in several instances the Magistrate has obtained a stamped receipt from parties for the return by way of Court Cheques, of fines and Compensations of Rs 20/- and above. This practice of obtaining Stamped receipts is

not the proper course
and should be discontinued.
As to sums yet undisbursed,
early steps should be
taken to have them
all duly paid up.

General diary.

This is maintained
in proper form and
written up to date.

Register of Copies.

A note book or
register of Copies granted
by the Court has
not been maintained
by the Court as required
by Rule of Practice
No 18 dated 17.12.1879

page 24
of the Digest

This

This should be opened at once.

General

25 In several cases, the Charge Sheets presented to the Court have not been only filled up and sent to the District Magistrate. Many of the Columns are left quite blank. Not even the Slips intimating the result of the trial to the Police Concerned have been sent over to them, but are left blank with the Charge Sheets.

Register No. IX (of Property)

26 This has been written up to date.

Articles produced in the marginally noted Cases are entered in the Register, as having been sent back to the Police for being delivered to specified persons. But it is not known whether these articles have been duly returned to the respective persons or not.

Case Nos 6 and 12 of 09-10.

Case No 8 of 09-10.

8 articles consisting of a lock etc produced in this Case are noted as having been returned to the owners through the Taluk Police. But no receipts are

are filed with the records. They should be called for and filed, if the articles have been delivered.

Records.

28 The records of the previous years excepting those of 04-05 have been duly sorted and sent up to the District Magistrate Court according to ~~Government Proceedings~~ Rule of Practice No 77 dated 7.12.07.

(Signed) M. Chengiah Chetty
District Magistrate

"Copy"

477

District Magistrate
Chittaloor District

1663

24/12 190

From

M. Kantaraj Urs Esq., B.A. No 152-10-1

Dy. Commissioner,

CS782-10-3 Mysore District.

To

C. S. Balasundaramier Esq., B.A.

Secy. to the Govt. of H. H. the Maharaja of Mysore, Gen. & Rev. Depts.

Dated 20th

Despatched 21st Dec 1910.

Received

General No. 363

No.

Enclosure No. 3

Subject.

Forwarding Copy of Notes of Inspection of the Mysore Assistant Commissioner Magistrate Court

No. 363
Enc. No. 3

OFFICE OF THE Deputy Commissioner

MYSORE DISTRICT,

Dated Mysore Camp 20th December 1910. *190* .

To

C.S.Balasundram Iyer B.A.
.....Esq.,

SECRETARY TO THE GOVERNMENT

OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

GENERAL AND REVENUE DEPARTMENTS.

SIR,

With reference to your letter No. J.1232-9 451 dated 15.10.10 I have the honor to forward herewith a copy of Notes of inspection of the court of the Assistant Commissioner and 1st class Magistrate of the Mysore Sub Division and to state that, like other Assistant Commissionens of the District, I have also been engaged in Jamabandy and so the inspection of all the other Assistant Commissioner's courts cannot be completed by the end of the current calendar year. They will be inspected and reports of inspection will be submitted to Government by the end of ~~July~~ February next.

I have the honor to be

sir,

your most obedient servant

S Srikantaiya

Deputy Commissioner

Mysore District.

Notes of inspection of the Court and Registers of the Assistant Commissioner and 1st class Magistrate in charge of the Mysore Division by the District Magistrate of Mysore on 30th November 1910.

----------ooooo------oooo-----

This court was last inspected by me on 30th ~~November~~ merely 1908. It was then presided over by Mr ~~XxKxXxxxxxxxxxxx~~ A Subramaniah Iyer who was succeeded by M T K Sundararajaiengar and lastly by Mr G B Heblikar who continued to be in charge, on the date of inspection . Mr Heblikar was on privilege leave for a short period of one month from the time when Mr A V Ramanathan Probationary Assistant Commissioner and 2nd class Magistrate who was in charge of the court.

2. The number of original cases taken on file since the date of last inspection was 350 of which 287 cases were actually tried, and the rest were either pending or transferred as may be seen from statement A appended. Of the cases tried 56 cases ended in conviction, 18 in commitment and 107 in compromise the rest in acquittal or discharge.

3. Of the cases convicted only 17 went in appeal of which 8 were reversed and 9 were confirmed. 5 cases were reported to the Chief Court

Court in view to the enhancement of the sentence of ~~xxxxxxxx~~ warning and fine inflicted.

4. The percentage of cases convicted to cases tried is nearly 20, a figure at which convictions stood at the date of last inspection.

5. Fourteen cases were found to be pending on the file on the date of inspection. They are all of the current year, the oldest cases pending for more than three months being 3 as per margin.

Case No 12.

Date of institution of complaint (5-8-1910).

Date of occurence 25-6-1910

This is a case of assault upon a public servant and robbery. A complaint was presented before the Magistrate on 5-8-10 and subsequently the Police presented a Charge Sheet under sections 353 and 379 I P C on the date of hearing of the original complaint viz, 24-8-10. Since that date 8 adjournments have been granted of which 4 are not supported by reasons. The accused are on bail and prosecution is not yet closed,

Case No. 13:-This is a case of marriage procession which was dismissed under section 203 C P C which order was confirmed by Mr. Chandy as District Magistrate. The Chief Court in revision Petition No. 71 of 1909-10 ordered its restoration.

This was restored to his file on 24-8-10 since then 5 adjournments have been granted.

Case No. 20:-- In a case of fraudulent execution of a deed under section 423 I P C instituted on 19-4-10. This was referred to the Police for investigation. They eported the case under the same section on 16-8-10. Since then 12 adjournments have been granted. The Magistrate has assigned no reasons for 4 adjournmats. The case stands posted for defence the accused being charged under section 420 i P C. The accused is on bail.

6. As process fees were ordered to be paid in a case of grievous Hurt under section 324 I.P.C, the records were perused, whcih disclosed the following incidents:. This was a case of hurt which resulted in the death of a person. The Amildar Magistrate of Yedatore Mr. N.Rama Rao convicted the accused. The Chief court in revision case No. 17 of 1907-08 set aside the conviction on the ground that the evidence recorded in the absence of the accused was used against him and ordered a further enquiry by the 1st class Magistrate, Mr. A.Subramanya Iyer took up the case accordingly under section 324 I.P.C, issued process and after examining 4 witnesses for prosecution was succeeded by Mr. Sundararajiengar who had convicted the accused of offence under sect. 352 I.P.C, The accused are said to have let loose their dog against the complainant who died by the effects of dog-bite. . . It is not denied that the dog bit the man in consequence of which he died and inspite of this circumstance and in the face of the Chief court's order that the case should be tried by a 1st class magistrate, the conviction of the accused under a more favourable section of I.P.C for an offence of a grievous nature deserves to be noticed here.

7. The same Magistrate has found the accused in cases Nos. 157,165,185 of 1907-08 and 44 of 1908-09, guilty of very serious offences of false personation, criminal breach of trust and perjury and sentenced

sentenced them to fines and imprisonment till the rising of the court.

In only one of them viz. in 185 the Chief court in exercise of the powers of revision enhanced the punishment of a day's imprisionment to 3 month's rigorous imprisonment.

8. Four cases have been tried chiefly under the provisions of ~~of~~ section 14 of the Arms Regulation, but there is nothing in the records to show the requirements of section 28 of the said Regulation have been complied with, and as such the proceedings themselves are open to question.

9. Case No. 83 of 1908-09.

The accused in this case are charged with offences under section 14 of the Arms Regulation and 8 of the Game Regulation. Neither in the charge framed nor in the sentence passed mention is made of the particular chause of section 14 of the Arms Regulation under which he was convicted. Offence under section 14 has reference to a warrant case while section 8 of the Game Regulation refers to a summons case. Since both of these are clubbed together in a single charge there seems to be a misjoinder of charges. This fact weighed with the circumstance that section 28 of the Arms Regulation has not apparently been applied to the case in question characterizes the proceedings as not quite regular.

Lo. Case No. 18 of 1909-10:-

An offence under section 497 and 498 I.P.C. has been referred to the Hunsur

Amildar Magistrate for disposal while it was triable by a 1st class Magistrate.

11. Cases Nos. 29 & 79 of 1909-10 have been struck off under section 259 C.P.C. for default.

12. In the following cases the No. of adjournments are too many. Some are apparently without any reason assigned therefor.

C.No. 92 and 122 of 1908-09.

73 and 67 of 1908-09.

13. Case No. 99 of 1908-09 has been struck off as the accused has absconded. This is a case of murder and no attempts seem to have been made as yet by the Police to trace the offender. The Police Superintendent will be addressed - vide in the margin//

"14. Mis: Register No. III:-

This was not maintained at the time of last inspection. One has since been opened and entries are made in continuation of those already made in the old book. The same magistrate has signed for entries respecting orders passed by different magistrates. This is evidently owing to the Registers having had to be posted from the very beginning . This is found to be a record of numerous errors and irregularities and requires careful attention. The chief points among several others requiring notice are noted below. It is not clear from the Registers as to whether the cases wee taken on file either at the instance of the Police or upon the complaints made by the parties. In the

x Cases Nos. 117 to 119 of 1908-09 of offences of perjury under section 193 i.p.c. have been taken on file and while the trial was proceeding the records were called for by the Sessions Judge, and the sanction granted for perjury was set aside in appeal. This order has been noted in column headed "Nature of final Order while under the heading "sentence" appears the follwowing "records have been submitted to the Sessions Court ". The order of the Sessions Judge evidently relates to the sanction granted in a case on the file of a different court, and as such the same cannot be said to be applicable to the cases in question . Since no prosecution lies while the sanction granted is revoked for perjury the complaints or applications ought to have been rejected to indicate the disposal of these cases

the case of complaints filed and referred to the Police the date on which the Police report was received at the court is taken to be the date of institution of the case a procedure not warranted by the rules.

15. Complaints filed have been referred to the Police under section 202 CPC. without even formally examining the complainant on oath as the cases Nos. 44 & 45 of 1910-11 . On examining the Register closely it is found that such petty offences under sections 352,355 323, 504 and 506 I.P.C have been freely referred to the Police for investigation and report under 203 c.p.c. Such cases number about 10 in the year 1908-09 and 14 in 1909-10. The reports submitted in these cases are as may be naturally expected in B form which are generally accepted on the ground that the party failed to turn up when called upon to substantiate his case.

It is hoped that in furture a proper discrimination will be exercised in referring cases to Police.

In case No. 18 of 1908-09 Mohan Singh vs. Venkatasami Rao and also in case No. 66 of the same year, the accused have been acquitted evidently under section 345 Cr.P.C of offences under section 352 and 323 and 355 I.P.C. respectively. This is done on the mis file and it is not understood as to why

why these were taken on mis file at all; while they were capable of ending the conviction.

Complaint under section 500 I.P.C has been filed instead of being dismissed, under section 204 c.p.c.

In cases Nos. 60 and 63 of 1908-09 and 4 of 1909-10 complaints have been struck off instead of being dismissed. Cases of ordinary lunatics are treated as criminal lunatics under sec. 464 c.p.c. Though there is no objection to the application being taken on this file the quotation of section 464 c.p.c is evidently wrong.

Now coming to the No. of mis; cases taken on file since the date of the last inspection, there were 181 cases of which 24 were pending on the date of inpection and 33 transferred to different courts. Thus there remained 144 cases for disposal.

07-08. 181, 187, 186
08-09. 111, 28, 27, 30, 116, 77.
09-10 36, 38, and 53
10-11 1, 6, 11 and 18.

Statement No. B appended indicates the manner in which these cases were disposed of. It may be perceived from this that the bulk of these cases have been struck off on Police reports with 24 left pending on the date of inspection, of which the oldest is one already referred to, in para Supra.

Stamp Register%

The marginally noted records were examined with reference to the stamp Registers with the result that stamps found in the records do not find a corresponding mention in the stamp register.

In one instance at any rate, the omission was significant . In records relating to case No. 111 of 1908-09, Court fees stamps of the value of one rupee-~~pai~~ paid for the issue of a warrant were not found on the records. On closely examining the records it was found that a warrant bearing the stamp in question directed to the Police for execution had not yet been returned. The Police Superintendent will be addressed on the subject.

Fine Register.

There are indications to show that this register is not ~~&&&&&&&~~ being posted regularly as the fines were levied. This is posted not in order in which the cases have been disposed of, but according to the order in which the fines were levied as the serial Nos. attached to each case indicate. In several instances the fines imposed earlier find a place in the register after the entries of later dates e.g. Fine imposed on 26.3.08 in crl. case No. 51 of 07-08 is entered after the fine levied on 22.7.08 in crl case 25 of 08-09. Similarly fine of 2.12.07 is entered subsequent to that of 4.8.08 and that of 11.1.09 is followed by an entry relating to 5.12.08 Thus the Register is not being posted ~~fr~~ from day to day as they were levied, but at irregular intervals with the result now noticed. This is quite irregular and the Magistrate will be good enough to see that the cases resulting in the

the sentences of fine are entered in chronological order in the registers.

In Crl. case No. 54 of 08-09 a fine of Rs. 25/ levied has been reduced to Rs. 10 in appeal to the Sessions Judge. Instead of showing Rs. 25 in Column 7 only the amount of fine confirmed in appeal is shown without reference to the remission ordered.

The entries in the fine registers are found to correspond to those of the cash registers. No steps have been taken for the recovery of fines amounting to Rs. 617 up to the end of June 1910 outstanding in the accounts.

In several cases no warrants have been issued in time as required by the Chief Court's circular No. 39 of 4.9.1892.

The Magistrate will be good enough to go over the list of irrecoverable items of fines that are still outstanding and take steps for these being written off the accounts.

Property Register.

Several properties produced in Crl. cases are said to have been sent to the Sessions court and it is not likely that they are still in that court. So they must have been received back and the fact has not been noted in the registers.

Several articles like guns etc ordered to be confiscated in several cases have been kept in the court Registers. They should at once be sent to the Police

Police for further action.

A note has not been inserted under the intials of the Magistrate to the effect that the articles, as ordered, have been actually destroyed.

Several articles to be delivered to the parties have been still kept in custody of the persons called upon to take delivery of them may be given another opportunity and on their failure they may be dealt with as unclaimed property.

No measures have been accepted for the disposal of unclaimed property though the period within which they can be kept in the custody of the court has expired. The disposal has been deferred apparently under the impression that this court would be invested with powers under section 524 c.p.c

Pending the investiture of such powers, the Magistrate should at once take steps for the immediate disposal of these things as observed in the last inspection report also.

Many of the things that are now in the Property Register though not perishable at the outset are likely to become so, if kept for an unusual length of time. In such cases immediate action should be taken to have them sold like all other perishable property.
Under this category come the cloths and clothing produced and they may be dealt with accordingly.

Record. Witness Register calls for no remarks. According to the circular of the Chief Court, records of more than 6

6 months(should be sent--

~~sent~~ to the District Central Records. This has not been done and there are several files which ought to have been returned to the District records which has not been done. This must be attended to immediately.

Circular file:- They have been filed as far as possible. Some of the recent circulars are not forthcoming and they must be procured and filed.

s d. M.Kantharaj Urs
District Magistrate. of
Mysore.

Copy

S Srikantaswamy
Jr District Magistrate
Mysore District

Statement Showing the details of disposal of cases filed in the 1st class Magistrate's Court Mysore Sub Division from 11th March 08 to the end of November 1910 including 39 cases that were pending at the last inspection.

Year	No: of cases Committed	Acquitted under Sec: 245 and 258 Cr.P.C	Discharged under 253 and 209 Cr.P.C	Dismissed under 247 and 259 Cr.P.C.	Withdrawn under Sec: 248 Cr.P.C.	Compromised under 345 Cr.P.C	Committed to the Sessions	Transferred	Struck off for absence of accused	Pending	Total	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13
From 11th March 08 to the end of June 1908	11	12	7	4	"	12	5	3	"	"	54	
1908-09	19	15	10	6	"	60	4	28	1	"	143	
1909-10	24	10	17	12	"	28	7	9	"	"	107	
1910-11 up to end of November 1910	2	2	10	1	"	7	2	8	"	14	46	
Total	56	39	44	23	"	107	18	48	1	14	350	

for District Magistrate
Mysore

Statement shewing the disposal of miscellaneous cases from 11th March 1908 to the end of November 1910 in the Court of the Assistant Commissioner Magistrate Mysore Sub Division.

Year	Under Section 145 Cr.P.C.	Under Section 208 Cr.P.C	Under Section 204 Cr.P.C.	Under Section 464 Cr.P.C	Under Section 514 Cr.P.C	Taken to original file	Breach of Contract Act	Struck off on Police B and C reports.	Cases withdrawn under Section 248 Cr.P.C	Transferred	Under Sec. 109 Cr.P.C	Pending.	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14
From 11th March 1908 to the end of June 08.	3	1	"	"	2	1	"	5	"	"	1	"	13
1908-1909	6	9	1	"	"	10	4	34	3	7	"	"	73
1909-1910	5	3	1	1	"	1	6	18	"	4	"	1	40
1910-11 upto the end of November 1910	3	1	1	"	"	2	"	23	"	2	"	23	55
Total	17	14	2	1	2	14	10	80	3	13	1	24	181

D Venkatachar
for District Magistrate
Mysore

£ 1743

190

From The District Magistrate Chitaldroog

15-1821-10-5

To The Secretary to Govt Genl & Revenue Bangalore

Dated

Despatched 26 December

Received

General No. 244

No.

Enclosure No. 1

Forwarding Copy of Notes of Inspection of the Court of the Treasury Assistant Commissioner & 2nd Class Magistrate Chitaldroog

GPB—75 reams—25-5-10.

No 244
Sn 1

Office of the District Magistrate
Chitaldrug District
Dated 26th December 1910

From

K. Chandy Esqre B.A.
District Magistrate
Chitaldrug District

To, C.S. Balasundaram Iyer Esqre. B.A.
Offg: Secretary to the Govt. of
H.H. the Maharaja Durpan
General and Revenue Depts
Bangalore

Sir,

I have the honor to forward herewith a copy of the Proceedings of Inspection of the Court of the Treasury Assistant-commissioner and 2nd Class Magistrate, Chitaldrug and requested in your No: J/1232-9 dated 15th October 1910.

I have the honor to be
Sir,
Your most obedient servant.

J. Ramaiyer
for District Magistrate
Chitaldrug

Notes of inspection of the Court of the Treasury Assistant Commissioner and 2nd class Magistrate Chittal dmy 18 Dec 10

Presiding Magistrates.

Mr. Mahomed Raza from 17-10-1908 to 27-9-1909

Mr. D. Srinivasa Iyengar from 28-9-09 to 25-1-1910.

Mr. R. Ramaswami Rao from 25-1-1910

—

Criminal case no. 1 of 1909-1910.

The offence in this case is one under Section 24. Forest Regulation. Soon after the case was taken up by the Court, the Forester applied for an adjournment on the ground of the case having to be withdrawn with the permission of the District

Forest Officer. Accordingly the Magistrate allowed him four days' time and thereafter permitted the withdrawal from the prosecution and acquitted the accused under Section 248 C.P.C. But the order passed by the Magistrate contains no grounds for allowing the withdrawal and is but very briefly recorded in the order-sheet itself. Section 248 requires the Magistrate to satisfy himself as to the grounds of withdrawal. It would have been well for the Magistrate to have recorded the grounds for the order and to have written a separate

order not simply the note in the order sheet.

Criminal Case no. 116 of 1909-10.

2 Depositions recorded by the Magistrate Mr. D. Srinivasa Iyengar are not signed but simply initialled. This is opposed to Section 356 b. P.C. Several other cases disposed of by this Magistrate disclose this irregularity.

Criminal Case no. 33 of 1909-1910.

3 The offences complained of in this case fall under Section 379 and 355. After the accused was summoned before the court, the Complainant stated that he could not prove the case and consequently wished

to withdraw from the prosecution.
The Magistrate Recorded his State-
ment and allowed the withdrawal
under Section 495 Cr.P.C. I am doubt-
ful whether the Legislature intends
Section 495 to apply to private persons
prosecuting in Cognizable and non-
Compoundable cases.

Criminal Cases Nos. 49 and 52 of 09-10.

In these cases it is found that
orders have been passed about
properties apparently under Section
517 Cr.P.C, although these properties
have not been shown in the Property
Register as they had been left in
the custody of other parties under

Mutchalikas

Mukhalikas from the Police or the Court. This practice obtains in other Courts also and does not appear to be technically correct.

Criminal Case no. 76 of 09-10.

5 The English Memoranda of the evidence of 3 witnesses for defence taken down with the Magistrate's own hand ~~does~~ do not bear his Signature.

Criminal Case no. 80 of 1909-10.

6 The report of property presented by the Police in this case is in the Record without any order having been passed by the Magistrate on the Counterfoil and the Counterfoil returned to the Police. No note is

erein, Seen on this report of the fact of its presentation in the Court and the date of presentation. It is explained by the Court clerk that the said mal-forms was presented with the Charge-Sheet together with the articles noted therein. The object of Counterfoils on mal-forms is most commonly ignored by Courts in that they retain the Counterfoils in the Courts without Courts orders. Due attention, it is hoped, will be paid in future.

7. Criminal Case no. 81 of 1909-10.

The petition in this case is seen from the order Sheet to have been received on 20th April 1910.

no note of its presentation is made on the petition. The Statement recorded by the Magistrate under Section 202 C.P.C. on the day the petition was presented and also the Statement finally recorded to the effect that the Complainant had compromised the case with the accused do not show on what dates they were recorded. Such omissions should be avoided in future.

8 Criminal Case no. 83 of 1909-10.

Certain articles produced in this case were ordered by the Court to be returned to the first prosecution witness and they were accordingly

delivered to him on the same day.
It is ascertained that as the articles
were perishable they were delivered
then and there without waiting
for the expiration of the appeal time.
This appears to be highly objectionable,
as in case the appellate Court should
otherwise direct, they cannot
be reclaimed from the party
under any circumstance. The
proper course was to have sold
the perishable articles and held
the money realized in deposit
till the expiry of the appeal period,
the accused in the case having been
convicted of theft and sentenced
to

to three days' rigorous imprisonment.

9 Similarly in Criminal Case No. 84 of 1909-10, a bullock the subject of theft was ordered to be delivered on 14th May 1910 and effect was given to that order on the same day. It is explained that the bullock had been left in the custody of the Complainant and therefore it was delivered to him. Such a final delivery is illegal, and if the Court thought the bullock had to be left in the custody of the complainant, it should have been allowed subject to the condition of its being returned

in the event of the appellate Court directing the disposal of the property in a different way.

(11) Similarly again, certain Cocoanuts produced in Criminal Case no. 90 of 09-10 have been finally delivered on the day of the Court's order.

11- Criminal Case no. 3 of 90-94.

On 23rd February 90, a Prosecution report was presented by a Sheikdar Complaining that the accused persons closed a channel of Bhima-Saundra Tank of Chitaldurg Taluk. Soon after the Sheikdar was examined on oath under Section 200 Cr. P.C., the Magistrate recorded an order as follows: —

5

"Summonses to issue to accused and witnesses to appear on 22nd March 940".

What offence the complaint constituted is not specified in the above order. In the order sheet however, the order for the day in the handwriting of the Court clerk of the Chitaldrug Fourth Magistrate's Court specifies the offence as 427 I.P.C.

On 22nd March 940, the day fixed for hearing the case, the Magistrate ordered that the case should be postponed until the accused restored the channel as he had undertaken to do and that in case it was restored, a recommendation

should be made to the District Magistrate for the withdrawal of the prosecution. It is not stated in the Magistrate's Order under what provision of law such an order could be supported. The case having been subsequently transferred to this Court, the accused persons were proceeded against for an offence under Section 429 I.P.C. and fined Rupee one each.

The procedure of the Tahsildar Magistrate in having suspended further proceedings as noted above does not appear to have been supported by law. Even the Channel Rules embodied in the Revenue Manual, do not appear to countenance it.

General

General Remarks.

12 The records inspected have not as yet been divided into parts as required by the Chief Court Rule of Practice; but are still in the chrono-logical order.

13 2. In warrant cases in most instances Magistrates have not been asking the accused persons after the charge whether they are willing to recall prosecution wit-nesses as required by Section 256 C.P.C. Though printed forms are supplied for the purpose, they are very rarely used.

14 3. Warrants issued for imprisonment

of persons are in some cases not returned from the District Lock-up Chittledrug, Case no. 83 of 1909—10 being an instance.

4. For the period covered by the present inspection the average duration of cases with the several Magistrates are:—

(1) Mr. Mahomed Raza 16.2 days
Mr. D. Srinivasa Iyengar 22
Mr. Ramaswami Rao. 14.6
} For 1909-10

(2) —— do —— 24 days for the quarter ending 30th September 910.

5. In the matter of the discharge and examination of witnesses it is seen that for (A) 1909-1910, Mr. Mahomed Raza discharged 241 witnesses on the 1st day and 3 witnesses on the 2nd

Mr. D. Srinivasa Iyengar discharged 452 witnesses all on the 1st day. And Mr. Ramaswamy Rao discharged 471 witnesses all on the 1st day.

(B.) For the quarter ending 30th September 1910 Mr. Ramaswamy Rao the presiding Magistrate, discharged 330 witnesses all on the 1st day.

176. In Criminal Case no. 7 of 1909-10 the records showed that the Complaint-petition was received in the District Magistrate's Court, and the order of the District Magistrate referring it for disposal to the Treasury Assistant Commissioner is scored out without the initials of the District Magistrate and another order

written by the Treasury Assistant Commissioner, Signing for District Magistrate is found below.

The present Treasury Assistant Commissioner Magistrate is directed to inquire into the matter and submit a separate report. He may examine the Registers of the District Magistrate's Court and his own Court for this purpose.

/Signed/ K. Chandy
District Magistrate.

"Copy"

for District Magistrate
Chitaldrug District.

1911 Jan 6 / 1852

190

From The District Magistrate
C5782-10-6 Chittagong

To The Secretary to Govt
Land Rev Dept
Bengal

Dated

Despatched 17 January 1911

Received

General No. 274
No.

Enclosure No.

Forwarding copies of
Notes of Inspection of
December last of Court
Magistrate's Court.

GPB—7b reams—25 5-10

No 274 Encl

Office of the District
Magistrate, Chitaldroog
Dated 17 January 1911

From K. Chandy Esqre BA
District Magistrate.

To: C.S Balasundram Iyer Esqre BA.
Secretary to the Government of H.H.
the Maha Raja of Mysore
General and Revenue Departments
Bangalore

Sir,

I have the honor to forward herewith a copy of the notes of Inspection of the Court of the Assistant Commissioner and 1st Class Magistrate Davangere Sub Division, as called for in your No J 1232—9 dated 15th October 1910.

I have the honor to be
Sir,
Your most obedient Servant

J. C. Ramaiyer
for District Magistrate
Chitaldroog.

Notes of Inspection of The Court of The Assistant Commissioner Magistrate, Davangere.

Dated 28th December 1910

Date of last inspection - 18th April/

Cases pending on last date — 7

Since instituted

For 1907-8 — 18
— 1908-9 — 53
— 09-10 — 50
— 10-11 — 40

Total 168

Pending cases — 9

Cases disposed of — 159

2. The following Statement shows the distribution of these cases under the several heads therein noted

Discharge & acquittals — 68
Conviction — 53
Committals to Sessions — 19
Transferred — 9

Released under 562 ——— 1

Pending ——— 9

3. The magistrates who presided over the Court during the period covered by the inspection are:—

Mr. Mahammad Raza 2nd class magistrate with Committal powers	From the date of inspection down to 15th December 1908
Mr. N. Subba Rao 1st class magistrate with appellate powers	From 15th December 1908 to 25th June 1910
Mr. M. A. Narayana Iyengar ——— Till recently 1st class magistrate with appellate powers now Sub-Divisional magistrate	From 25th June 1910 up to date.

4. Register I.

The Register is well maintained. On the following cases, however, the results of commitment to the Court of Sessions do not appear in the appropriate column.

35, 41 and 50 and 30
1909-10 1910-11.

5. Register No III.

Miscellaneous Register.

Number of cases pending at the last inspection. 3

Cases since instituted — 110

Total 113.

Cases disposed of 106

— Now pending 7

6 The following Statement shows the nature of the cases disposed of :—

29. Police B. Reports

22 ..... 6 .....

1 First Information Report

10. Complaints dismissed under sections 203 & 204 C. P. C.

13. Good behaviour cases

3. Forfeiture of Bonds

1 Extradition case.

5. Breach of contract of Service

4. Disputes as to immoveable property.

Public nuisance.

5. Struck off the file.

1 Case under Lunatic Rules.

2 Transferred to other Courts.

6. Register No IV.

witness Register.

22-08-09 7 Two witnesses were present on 16th November 1908 and only one was examined. Similarly in case No 43/08-09, out of six witnesses present on 16th April 1909 only three were examined.

(1) In these two cases the reason for their not being examined is not noted in column No 12. (provided there was) In the whole the Register is well-kept

9 7. Register No VII The Sale Register.

This Register was checked with reference to the cash Register (No XI) and the entries found to tally with one another in respect to all the cases in which sales were imposed during the period under inspection.

10 8. Register No IX The property Register

5 B
1907-8 Five bullocks produced before the Court are shown in the Register as having been returned to the parties as directed in the order of the Court without however obtaining the signatures of the parties thereon. Nos are separate receipts filed with the records. This is irregular.

11. On the same case, Rs 15 ordered to be recovered as Fine remains unrecovered

will be covered though it is more than two years since the date of the order. It is stated that the matter is still under correspondence with the police.

Case No 57 of 07-08

In this case two bullocks were ordered by the magistrate to be disposed of; but in the Property Register only one is mentioned. As to the other, it is ascertained that it was not the subject-matter of the offence in the case, but only got for the purpose of reference and hence its exclusion from the Register.

Case No 63 of 07-8

On 25th May 1908 a watch valued about 25 Rs. was ordered to be given over to the com- plainant. The article is still in

in the custody of the Court and it is stated that its detention is due to the whereabouts of the complainant not having been ascertained. It is already 2½ years since the date of the order and the police should be reminded to answer the reference said to be pending with them, with a view to expedite its disposal.

14 Case No 5 of 1908-9.

Properties consisting of 2 hides and two knives are noted in the property Register, as having been sent on to the Police for delivery to the parties in accordance with the order of the Court. But, as to the actual delivery, no note exists in the Register, nor is there any thing in the Records to show it. This should be attended to.

5 9. Register No XI. The Stamp Register.

Several cases were examined with

with reference to this Register and the entries found correct. But in criminal case No 30/08-9, 8as Stamps affixed to a process issued against the accused is not noted in the Stamp Register for 29th December 1908, when the Stamp appears to have been produced by the complainant.

No memo of Stamps is taken in this case. As this is a matter of some importance, the Court should make it convenient to have memos, invariably in all the cases requiring process fees.

In the matter of the failure to get memos, it is explained that illiterate persons find it practically very difficult to get memos written up and produced in time.

18 General observations

Case No 26 of 1908-9 and
Case No 28 of 1908-9

These cases are instances of short imprisonments having been awarded needlessly. In case No 26 of 1908-9, the accused is sentenced to 15 days' imprisonment for theft (379) and in the other case he is sentenced to simple imprisonment for 2 days. Such short terms of imprisonment can profitably be avoided by dealing with the accused under 562 C.P.C. or by awarding fines. The attention of the magistrate is drawn to Government Order No J. 1912-20 dated 19th January 1910 on the subject cls 85-09-3

19 Cases Nos 28 + 29 of 1908-9

In these cases the accused

are dealt with under Section 12 of Arms Regulation but under different clauses. The particular clause under which each case fell, is no-where mentioned in the Records. This information would enable the examining authority to see whether in cases under clause (c) the Sanction of the District magistrate was obtained

Case No 4 of 1909-10

In para 12 of the judgment in this case 2 pages of the diary of the Haridhar Station House are observed to be missing under suspicious circumstances. The Superintendent of Police will report upon this early.

In several warrant cases of which case No 19 of 1909-10 is a specimen, the accused have not been asked to say if they wished

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particulars

---

disposed of by Mr M. A Narayana Iyengar

B. A. B. L.

---

instituted by Mr. N. Subba Rao.

---

wished to cross-examine the
Prosecution witnesses by re
calling them after the charge
as required by Section 256
Cr. P. C. But due attention is
being paid to it in recent cases

21 Case No 28 of 1910-11

In this case the complainant
having moved the Court to
revise an order of discharge
passed by itself under Sectio
202 Cr. P. C for failure to pro-
duce process fees, the Court
ordered the case being take
on file again. Instead of
further proceedings being
taken separately it was con
tinued in the same case. Th
appears irregular. The revis
Application should have bee
treated as a Miscellaneous Ca
and

the further proceedings which have resulted in ~~this~~ conviction of the accused as a Regular case

11. Appeals

52 cases were instituted in all during the period under report, 43 being during the time of Mr. N. Subba Rao and 9 subsequently during the time of Mr. M.A. Narayana Iyengar, the officer presiding at present

The following table Shows the results of the appeals:-

Statement Showing the appeals disposed of:-

(1) By Mr. N. Subba Rao B.A

Cases instituted	Confirmed	Reversed	altered	rejected	Rer
43*	12	31			* two were.

(2) By Mr. M.A. Narayana Iyengar

					Pending	
9 2*	3	3	1	1	3	*

24 Appeal Case No 205-1910-11

On this case the Sentence of the Lower Court has been altered. But in the records is not kept a Separate order in the prescribed printed form.

25 The practise in the Court appears to be, not to keep Separate orders in any case of appeal.

12. Records

26 The criminal records of this Court for the most part remain undivided into parts, as required by the Rule of Practise No 44 dated 4th December 1907; and in Several instances warrants returned from lock-ups and gaols after execution of Sentences are not Stitched with the connected records.

27 Indexes have yet to be written up in many of the appeal cases though they are expected to be done

tomed before the close of the cases. The magistrate will see that proper attention is paid to them.

13. The General diary was checked with reference to the notes on the order sheet and the witnesses' Register and appears to have been properly maintained.

14. Some articles, produced in several criminal cases of preceding years but which can not at present be traced to which cases they relate, remain in the Property Room undisposed. The magistrate will prepare a list of such articles and submit it for orders in a separate reference.

15. The periods of average duration with the magistrates, for the period covered by the present inspection are as follow :—

Mr Mahamed Raya (now retired) 92

for 1908-9 ——————— 16 days

Mr N. Subba Rao — do ——— 30 days.

Do — for 1909-10 ——— 22.6 days

Mr M. A. Narayana Iyengar for

The first quarter 1910-11 ——— 10.3.

31 16. On the matter of discharge

of witnesses

1908-09 Mr Mahamed Raya

discharged on the

1st day ——— 246

2nd day ——— 87

3rd " ——— 8

1908-09 Mr N. Subba Rao discharge

on the

1st day ——— 202

2nd day ——— 10

For 1909-10 Mr N. Subba Rao dis-

charged on the —

1st day ——— 419

2nd day ——— 42.

3rd day ——— 22

4th day ——— 7.

1910 - 11 (First Quarter)

Mr. M. A. Narayana Iyengar.

discharged on the first day-

T.H.

/Signed/ T. Chandy

District magistrate

Chitaldrug District

"Copy"

J. V. Ramaiyer

Jr. District magistrate

Chitaldrug District

1910-11. 1866

100-7

From P.R.W.Wetherall Esquire,

C6782-10-7 District Magistrate,

Hassan.

To C.S.Balasunderam Iyer Esquire,B.

Offg. Secretary to the Govt.of H.H.the Maharaja of Mysore, Genl and Rev.Deppts. Bangalore.

Dated 6th January 1911.

Despatched 18th January 1911.

Received

General No. 255

No. S.

Enclosure No. Three.

Subject.

Submitting copies of the notes of inspection of the Criminal Registers an Records of the Courts of the 3 Assistan Commissioner Magistrates of this Distri

1. S.P.Rajagopala Chari Esq. B.A.B.L. Assistant Commissioner and 1st class Magistrate, Saklespur.

2. C.Devaraj Urs Esquire Assistant Commissioner and 1st class Magistrate, Hassan.

3. NarasingaRaoPurnaiya Esquire, B.A. Treasury Assistant Commissioner and 1st Class Magistrate, Hassan.

GPB—75 reams—25 5 10

1910-11

District Magistrate's Court

Hassan District,

Dated Hassan 6th January 1911.

P.R.W.Wetherall Esquire,

District Magistrate,

Hassan.

C.S.Balasundaram Iyer Esquire, B.A.

Offg. Secretary to the Government of His

Highness the Maharaja of Mysore,

General and Revenue Departments,

Bangalore.

Sir,

Adverting to Government Proceedings No.J1232-9 dated 15t. October 1910, I have the honor to forward herewith copies of the notes of inspection of the Criminal Registers and Records of the Courts of the Assistant Commissioner Magistrates of this District as noted in the margin.

I have the honor to be,

Sir,

Your most Obedient Servant.

P.R.W.Wetherall

District Magistrate,

Hassan.

S.N.A.

Notes of inspection of the Registers and records of the Court of the Treasury Assistant Commissioner and 1st.Class Magistrate of Hassan made by the District Magistrate on 17th.December 1910.

I. This Court was last inspected by the undersigned on 26th.June 1909, the present Magistrate Mr.Narasinga Rao Purnaiya B.A., was then the presiding Magistrate exercising the powers of a Magistrate of the 2nd.Class. He was invested with the powers of a Magistrate of the 1st.Class in Government Notification No. J.2323-Cts.171-09-1 dated 9th.February 1910, and has been exercising jurisdiction over the Taluks of Hassan and Arkalgud. He continued to preside over this Court except when he was on privilege leave from 11-8-1910 to 8-10-1910 Mr.S.N.Appanna Iyengar,B.A.,B.L.was in charge of this Court as acting Assistant Commissioner and 1st.Class Magistrate during that period.

Register No.I. (Regular cases.)

2. Criminal case No.91 of 1908-09 was the only case filed since date of last inspection up to end of June 1909, and the case ended in the conviction of the accused persons. The number of cases filed from 1-7-1909 to 30-6-1910 was 92, and from 1-7-1910 up to date of inspection 40 cases.

3. The disposal of 92 cases of 1909-10 was as follows :-

cases

Cases.	Persons.	Disposal.
43	119	Acquitted or discharged.
9	12	Convicted.
0	0	Committed.
24	81	Compounded.
3	13	Transferred.
13	61	Pending.
92.	286.	

The average duration of each case dis-posed of was 44.22 days.

4. The disposal of 42 cases of the current official year 1910-11 up to date of inspection is as follows :-

Cases.	Persons.	Disposal.
9	22	Acquitted or discharged.
1	1	Convicted.
0	0	Committed.
6	16	Compounded.
0	0	Transferred.
26	89	Pending.
42 -	128 .	

The average duration of each case dis-posed of was 10.43 days.

5. The following are the 13 cases of 1909-10 pending disposal.-

(1) Criminal case No.30 of 1909-10.

In this case the Police of Hosur Taluk produced a charge sheet before the Court on 10-11-1909 for an offence under Sec.428 I.P.Code, requesting issue of arrest warrants against the accused persons who had absconded. Thereupon the Magistrate ordered issue of arrest warrants posting the case to 9th.Decem-ber 1909. When the case was called on that date, none of the parties appeared and the warrants also had not been re-turned served. The Magistrate adjourning the case Sine die the Police to report as to what become of the arrest warrants.

action seems to have been taken until 25-11-1910 (as apparent from the notes of the case) when the records were pro--duced before the Magistrate by the Court Clerk, and the Police were again called upon to report what had become of the warrants. The explanation of the Clerk concerned should be obtained and submitte in this matter, and the Magistrate should take early needful action towards com--pelling the attendance of the accused persons.

(2) Criminal case No.52 of 1909-10.

The complaint petition in this case was re--ceived by the General Assistant Com--missioner Magistrate on 21-2-1910 which concerns a complaint under sec.467 I.P.C The case was adjourned five times in that Court, once for want of time by the Magistrate, once for the absence of the Magistrate on circuit and twice owing to absence of some of the witnesses, and once at the request of the Pleader for Complainant. Then the records were calle for by the District Registrar for refer--ence in the disposal of a Registration appeal case between the same parties, after disposal of which the records of the criminal case were referred to the Treasury Assistant Commissioner Magis--trate for disposal. The case was posted five times for hearing, but the parties did not appear on any of those hearing dates as the notices issued for service on the parties were not returned to the Court. The case which stood adjourned

to 14-12-1910 has been again adjourned to 19-1-1911 as the summonses were not returned in time. Strict orders should be issued to the Police calling upon them to return the previous notices with explanation for failure to return to Court in time.

(3) Criminal case No.63 of 1909-10. This is also a complaint under section 467 I.P.Code preferred by the complain-ant of the above case No.52 of 1909-10 some of the accused persons being common to both cases. For reasons stated above this case also stands adjourned to 19-1-1911.

6. Out of the remaining 10 cases pending of 1909-10 pending disposal enquiry in 6 cases has not been commenced owing to the absence of some of the par-ties. Among the records of some cases processes ordered to be issued from time to time are not forthcoming to show what processes were actually issued to the parties concerned. The Magistrate should take due notice of the neglectful conduct of the official concerned, who has failed to sort out the processes returned to the Court and attach them to the respective records. In the remaining four cases in which enquiry has been commenced, the examina-tion-in-chief of the prosecution wit-nesses has been closed in case No.53 of 1909-10 and it now stands adjourned to 19-12-1910 for summoning some records from the Hole-Narsipur Munsiff's Court for cross-examination. In criminal case

No.

No.82 of 1909-10 the examination and cross-examination of five witnesses for the prosecution has been completed and it now stands adjourned to 19-12-1910 for the examination of the absent witness who is reported to have gone to the Subramanya Jatra. In criminal case No. 54 of 1909-10 only the Complainant has been examined in chief, and the Advocate for the Complainant having undertaken to produce the absent witnesses himself the case was adjourned to 12-12-1910. One more witness was examined including the cross examination of Complainant and the case now stands adjourned to 22-12-1910 In Criminal Case No 77 of 1909-10 - the examination in chief of the prosecution witnesses was completed and it now stands adjourned to 20-12-1910 for cross examination.

7. Out of 26 cases of the current official year, enquiry has not been commenced in 20 cases. And out of these 20 cases 9 cases have been posted for the 1st. time as some were filed only during the latter part of the previous month and some during the current month. And all cases are pending owing to the non-appearance of some of the parties, which in some cases was due to the late issue of processes. Enquiry in 6 cases has been commenced and all stand/ adjourned to various dates of current month. In some of the cases the date of disposal was not noted in column 15 of Register No.I which shows negligence on the part of the C[illegible] C

concerned. These omissions have been now caused to be supplied.

8. It may be here pointed out for the Magistrate's future guidence that he has made no use of the provisions of section 514 of the C.P.Code for the purpose of dealing with witnesses and accused persons who failed to appear on hearing dates in breach of their Mutcha-likas. Hence parties absent themselves with impunity, and much delay results in the disposal of their cases.

Register No.III. (Miscellaneous)

9. The number of Miscellaneous cases filed since the date of last inspection up to the end of June 1909 was 5, the total for the whole year being 45 mis. cases. From 1-7-1909 to 30-6-1910 31 cases and from 1-7-1910 up to date of inspection 21 cases.

10. The 5 miscellaneous cases of 1908-09 were all struck off on Police "B" Reports. The disposal of 31 cases of 1909-10 is as follows :-

Police "B" reports struck off.	17.
- Do "C" reports remanded to the Police for further enquiry.	1.
- Do "B" reports taken on regular file.	1.
- Do - - Do - pending.	11.
Complaints dismissed under sec.203 C.P.Code.	1.
Total.	31.

The disposal of 21 Mis.cases 1910-11 is as follows :-

Police "B" reports pending.	9.
- Do - "C" reports struck off.	1.
Complaint dismissed under sec.203 C.P.Code.	1.
Complaint petition referred to the Police for investigation and report.	1.
- Do - Do -petitions pending.	4.

petitions

Petitions for maintenance of wives and children dismissed. ------- 2.
Proceedings under section 109 C.P.C. disposed of. 7.
Proceedings under sec.145 C.P.C. pending. 1.
Cases under Act XIII of 1859 dismissed. 1

Total. 21.

It may be observed from the above that four complaint petitions have been entered in the Miscellaneous Register and are pending for the appearance of the Complainants for record of their sworn statements prior to further action thereon. This is erroneous. Complaint petitions should not be taken to either the Miscellaneous or Regular file until it is decided upon record of the sworn statements of the Complainants whether they should be dealt with on the Regular file or on the Miscellaneous file.

11. Two Police "B" reports viz, criminal Mis.Nos.20 and 33 of 1907-08 and two other Police "B" reports criminal Mis.Cases Nos.4 and 31 of 1908-09 which had been referred back to the Police are pending with them. Reminders should be at once issued to the Police concerned and their reports obtained and disposed of. Two other cases viz Mis. Cases Nos.11 and 36 of 1908-09 in which the Police have submitted final reports in "B" form are pending disposal in the Court. The Magistrate should take prompt action to dispose of them.

Register No.IV.(Witnesses)

12. This Register has been written up

to-

to date and does not call for any re-
-marks.

Register No.VII. (Fines).

13. The entries in this Register were compared with the entries in cash Register No.XIV and they were found correct. There is a large sum of Rs. 841-2-0 still unrecovered, The Magistrate should take prompt steps to enforce re-
-covery of this amount.

Register No.IX. (Property).

14. Properties relating criminal cases Nos.8 of 1900-01 Mis.Nos.14,48 and 59 of 1906-07,Mis.No.43 of 1907-08,45,39 and 41 of 1908-09,10,5,28,18,19,59,and 58 of 1909-10,Police crime No.8 dated 28-12-1909 and 10 of 1910-11 are pend-
-ing delivery to the parties concerned. The Magistrate should see that there is no further delay in the disposal of these properties.

Register No.XI. (Stamps).

15. This Register has been written up to date.

Register No.XIV. (Cash).

16. Vide remarks in para 13 concern-
-ing Register No.VII.(Fines).

17. The General diary has been writt up to date.

Sd.- P.R.W.Wetherall

District Magistrate.

"C O P Y"

P.R.W.Wetherall

District Magistrate,

B.S.N. Hassan.

Notes of inspection of the registers of the Court of the Assistant Commissioner and 1st. class Magistrate, Saklaspur made by the District Magistrate of Hassan on 11th. November 1910.

----oOo-----

1. This Court was last inspected by the undersigned on 9th. November 1909, Mr. S.P.Rajagopalachari B.A,B.L, the present Magistrate was the presiding Magistrate then also exercising the powers of a Magistrate of the 1st. class. During the absence of Mr. S.P.Rajagopa-lachari on privilege or casual leave the following Assistant Commissioner Magistrates presided over this Court on the dates noted against each:-

Mr. S.N.Appanna Iyengar B.A,B.L,

from 10-2-1910 to 16-2-1910
24-4-1910 to 19-5-1910
21-8-1910 to 24-8-1910

Mr. Narasinga Rao Purnaiya B.A,

from 20-5-1910 to 24-5-1910

Register No. I. (Regular cases)

2. The number of regular cases filed since 9-11-1909 up to 30-6-1909 was 72, the total for the whole year 1909-10 being 105 cases. The disposal of 72 cases was as follows:-

Cases.		Persons.		Disposal.
38	--	75	--	Acquitted or discharged.
13	--	16	--	convicted.
3	--	7	--	Committed to Sessions.
18	--	41	--	Transferred.
72	--	139		

3. The number of cases filed from 1-7-10 up to date of inspection is 11, and their disposal is as follows :-

Cases.	Persons.	Disposal.
10	24	Acquitted or discharged.
1	1	Pending.
11	25.	

The average duration of each case disposed of since the date of last inspection is 37.3 against 27.54 for the year 1908-09. The 1st.mentioned high average duration is attributed to one of the accused in criminal case No. 55 of 1909-10 having absconded necessitating issue of arrest warrant and proclamation, and in cases Nos.74 and 93 of 1909-10 the attendance of the accused persons had to be secured after many adjournments from South Canara District.

4. Criminal case No.11 of 1910-11, which concerns a complaint under section 53 of the Mysore Police Regulation, is the only case now pending disposal. This was instituted on 8-11-1910 and stands posted to the 12th.instant for the appearance of the parties summonses having been issued to the witnesses.

Register No.III. (Miscellaneous cases.)

5. The following is the number of Miscellaneous cases filed since date of last inspection :-

From 9-11-09 up to end of June1910,45 cases,the total for the whole year 1909-10 being 57 cases. The disposal of these 45 Miscellaneous cases was as follows :-

Police "B" reports struck off----------9.

Police

Police "B" report returned to the Police for further investigation 1.

Police "B" reports transferred.---- 3.
- Do - taken on regular file.--- 2.
- Do -"C" reports struck off.---- 2.
- Do -"C" reports transferred.---- 2.
Complaints dismissed under Sec.203 C.P.Code.----- 9.
Proceedings under maintenance Chapter XXXVI.C.P.Code,petitions rejected. 3.
Possession cases Chapter XII.C.P.C. disposed off.---------- 3.
Proceedings under sec.107 C.P.Code disposed off.-------- 2.
Extradition application disposed off.-1.

This case should have been dealt with on the Regular file instead of the Miscellane-ous fileas there were 4 accused persons then before the Court other than the absconded accused and the evidence then recorded was against them also.

Cases under Act.XIII. of 1859 dis-posed of,viz,-
Ordered to work or repay advance. --Nil.
~~Ordered to work or repay advance~~ acquitted.------- 1.
- Do - Transferred.---------- 7.
45.

The number filed since 1-7-1910 up to date of inspection is 10 cases, and the disposal of these is as follows,

Police "B" reports struck off.------- 4.
- Do -returned to the Police for further investigation. ------- 1.
- Do - "C" reports struck off.------ 1.
Complaints dismissed under sec,203 C.P.Code. -------- 2.
Complaint petition allowed to be with-drawn and accused acquitted un-der sec.248 C.P.Code. ------- 1.
Petition under maintenance Chapter XXXVI C.P.Code disposed of. --- 1.
Total.---- 10.

6. The Magistrate has allowed a com-plaint petition to be withdrawn on an application of the Complainant sent in by Post and has acquitted the accused under section 248 C.P.Code. After recor-ing the sworn statement of the Complain-ant on 18-6-1910 the Magistrate had posted the case to 3rd,July 1910 and ordered

ordered notice to issue to the accused and witness list to be given within 3 days. When the complainant failed to produce the process stamps by filing the witness list and when he did not present the petition in person or by a duly authorized agent, the proper order to pass in the case was dismissal of the complaint under section 204 C.P.Code instead of passing an order of acquittal under section 248 C.P.Code when both the Complainant and the accused did not appear before the Court.

Register No.IV.(Witnesses)

7. In some cases reasons for adjourning them without examining the witnesses have not been noted under column 10 of this Register. This should be guarded against in future.

Register No.VII.(Fines)

8. The entries in this Register were compared with the entries in Register No.XIV (Cash) and were found correct.

Register No.IX.(Property)

9. Properties concerning the following Nos.as observed in the notes of the last years report are not disposed off-viz, cases Nos.57,58 and 61 of 1905-06,41, 43 and 47 of 1906-07,71,88,91,99,103, 125 and 129 of 1907-08,3,6,7,14,15,42 of 1908-09 and Mis.case Nos.173 and 76 of 1908-09,and property Nos.22,23,24,25 and 26 of 1908-09,case No.96 of 1908-09, Nos.3,8,14 of 1909-10 and Mis.case No.4 of 1909-10 and case No.34 of 1909-10.

The

The Magistrate should explain why these have not yet been disposed of, although pointed out in the undersigned's notes of last inspection copy of which was sent to him with this Office No.618 dated 2-12-1909.

Orders regarding properties in the following cases have been issued, viz, criminal cases No.4,25,28,75,76,82, of 1909-10, and notices have been issued in the following cases viz, criminal cases Nos. 78,80,82 of 1909-10, and in the following cases of 1909-10 proper--ties are pending disposal viz, criminal cases Nos.24,51,36 and criminal Mis. case No.46. Orders concerning criminal cases Nos.7 and 9 of 1910-11 have been issued to the Police.

Register No.XI. (Stamps)

10. Some of the records were examined and compared with the entries in the stamp Register and were found correct. But in criminal Mis.Case No.2 of 1910-11 the entry concerning an 8 anna stamp was made on 2-7-1910 instead of on 29-6-1910 on which date the petition was presented. This is incorrect and should be guarded against in future.

Register No.XIV. (Cash)

11. This Register does not call for any remarks.

12. The General Diary of the Court has been written up to date.

Sd.- P.R.W.Wetherall
District Magistrate,
Hassan.

Copy

"C O P Y"

M W Wetherall

District Magistrate,

B.S.N.
7-1-11.

Hassan.

Notes of inspection of the Re-gisters and records of the Court of the General Assistant Commissioner and 1st. Class Magistrate of Hassan made by the District Magistrate of Hassan on 6th. Decerber 1910.

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1. This Court was last inspected by the undersigned on 30th. June 1909 and the present Magistrate Mr.C.Devaraj Urs was ~~xxx~~ presiding, exercising the powers of a Magistrate of the 1st.Class over the Taluks of Arsikere,Channarayapatna and Hole-Narsipur. Mr.C.Devaraj Urs continued to preside over this Court throughout except during the periods noted below viz :-

From 11-12-1909 to 13-12-1909 and
17-12-1909 to 5-1-1910,Mr.Narasinga-Rao Purnaiya,B.A., and
From 6-1-1910 to 21-2-1910 and
11-6-1910 to 2-8-1910,Mr.S.N.Appanna-Iyengar,B.A.,B.L.

Register No.I. (Regular cases)

2. The number of regular cases filed since date of last inspection viz,from 1-7-1909 to 30-6-1910 during the Officia year 1909-10 was 51. From 1-7-1910 up to date of inspection is 26 cases.

3. The disposal of 51 cases of 1909-1 filed since 1-7-1909 was as follows :-

Cases.	Persons.	Disposal.
16	32	Acquitted or discharged
2	2	Convicted.
3	3	Committed .
9	32	Compounded.
16	61	Transferred.
5	23	Pending.
51	173	

4. Besides the above 5 cases of 1909-10 pending since date of last inspection

criminal

criminal case No.68 of 1907-08 filed prior to date of last inspection is still pending disposal. The disposal of 25 cases of 1910-11 is as follows :-

Cases.	Persons.	Disposal.
4	10	Acquitted or discharged.
5	8	Convicted.
0	0	Committed.
1	1	Compounded.
0	0	Transferred.
15	54	Pending.
25	73.	

Note.- No.11 of 1910-11 was the original number given to the Police Charge Sheet originally submitted in the case against the persons accused of Sandalwood Theft which was subsequently split up into three cases and this number 11 cancelled.

5. Since date of last inspection the average duration of all cases disposed of up to date of the present inspection works out to 73 days.

6. The longest pending regular case is criminal case No.68 of 1907-08 which concerns a complaint under sections 196 and 467 I.P.Code filed on.29-2-1908. It is apparent from the records that the enquiry was not commenced until 18-3-10 for which reasons are given by the Magi-trate to the effect that he had to be constantly touring in the Taluks of his Sub-Division in connection with the drought and consequent distress, also owing to the visit of His Highness the Maharaja. Between 17-12-1909 to 21-2-10 the Magistrate was on privilege leave and Mr.S.N.Appanna Iyengar B.A.,B.L.who was appointed acting Assistant Commissioner

was

was not invested with 1st.Class Magis-
-terial powers till 9th.February 1910
(vide Government Notification No.J.2325-
Cts.-171-09-2 dated 9th.February 1910).
And the Magistrate Mr.C.Devaraj Urs was
also absent on special duty between
11-6-1910 to 2-8-1910 in connection with
His Highness the Yuvaraja's Marriage. The
delay was also due some times owing to
the absence of some of the accused and
prosecution witnesses. The examination
and cross examination of complainant was
proceeded with on 18-3-1910 his further
cross-examination having been reserved
by the accused's Counsel the case was
adjourned to 13th.April 1910. On that
latter date and subsequent dates of hear
-ing enquiry in the case was not pro-
-ceeded with as the Magistrate was en-
-gaged in Huzur Jamabandy work and also
owing to absence of some of the accused
persons (on account of illness) and also
to the absence of some of the prosecu-
-tion witnesses,and the case now stands
adjourned to 12th, December 1910. Mr.C.
Devaraj Urs should dispose of this case
without any further delay. It may be
here pointed out for his future guidance
that in many cases when witnesses and
accused persons have absented themselves
on hearing dates in breach of their
Mutchalikas,no action was taken against
them under section 514 C.P.Code with
the result that such breaches frequently
occur and cause much delay in the

disposal

disposal of cases.

7. Out of 5 cases of 1909-10 pending disposal, case No.5 of 1909-10 was ad--journed sine die on 7-10-1909 pending disposal of a possession case between the same parties. Case No.17 of 1909-10 is pending for the appearance of the parties. Cases Nos.12 and 44 of 1909-10 have been partly heard and are posted for hearing during the current month, and case No.35 of 1909-10 in which the enquiry has been completed is posted for argument on the 6th.instant.

8. Out of 15 cases pending disposal during the current official year 1910-1 enquiry in 8 cases has not been commenc owing to the absence of some of the parties and also for want of time by t Magistrate having been engaged in the trial of the sandalwood Theft cases. In the remaining 7 cases enquiry has been commenced and out of these 7 cases four cases are the important sandal-wood Theft cases. In case No.9 of 1910--11 in which the accused were placed before the Court for offences under section 392 I.P.Code, the Prosecution has been closed and the statements of the accused recorded, and the case now stands adjourned to the 8th.instant for orders. Similarly in case No.14 of 1910-11 which concerns an offence under section 408 I.P.Code the Prosecution has been closed, and the case stands ad--journed to the 8th.instant for further proceedings.

Register

Register No.III. (Miscellaneous cases)

9. The number of Miscellaneous cases filed since date of last inspection viz, from 1-7-1909 up to end of June 1910 was 23, and from 1-7-1910 up to date of inspection 17 cases.

10. The disposal of 23 Mis. cases of 1909-10 was as follows :-

Police "B" reports struck off. ----	2.
- Do -"C" - Do - -----	2.
- Do -"C" report taken on Regular file.--	1.
1st. information report rejected. ----	1.
Complaint petitions struck off. ---	3.
- Do - taken on regular file.--	1.
- Do - referred to the Police for investigation and report and still pending. --------	1.
Security for good behaviour under section 109 C.P.C. disposed of. --	1.
Proceedings under sec.145 C.P.C. disposed of. -- --	4.
- Do - pending. ----------	2.
Applications for maintenance of wives and children disposed of. ---------	1.
- Do - transferred ----------	2.
- Do - pending.----------	1.
Cases under Act XIII of 1859 disposed of. -	1.
Total.----	23.

Hence four Miscellaneous cases of 1909-1 are still pending, which should be dis- -posed of without further delay.

11. The disposal of 17 Miscellaneous cases of 1910-11 up to date of inspec- -tion is as follows :-

Police "B" reports struck off.-----	4.
- Do - "C" reports - Do - -------	2.
Complaint petitions struck off.---	6.
Petition for stay of proceedings re- -jected.------	1.
Bail applications rejected. --------	4.
Total.	17.

The results of criminal miscellaneous cases No.62 and 92 of 1907-08 have not yet been entered in this Miscellaneous Register which indicates great neglect. The Magistrate should take prompt action to have the entries made after having

the

the records produced before him,which are said to have not yet been found al-
-thcugh this was pointed out on last inspection the notes of which were sent to the Magistrate with District Magistrate's No.464 dated14-10-1909 for early compliance.

Register No.IV.(Witnesses)

12. In ~~The~~ column 10 of this Register a note against each witness// actually examined has not been made as required in Chief Court Circular letter No.162 dated 25-3-1905,but a note concerning witnesses who were not examined has been made by mistake. This should be recti-
-fied and such mistakes should not be committed in future.

Register No.VII. (Fines)

13. This Register contains only 3 entries since date of last inspection and the entries on comparison with cash Register No.XIV are found correct. There is an amount of Rs.583-12-1 pend-
-ing recovery. Early orders should be obtained from the District Magistrate concerning such of the amounts which are found to be irrecoverable.

Register No.IX (Property)

14. Properties concerning the follo
-ing cases are pending disposal viz, case No.5 of 1903-04,case No.22 of 190
-05,Cases Nos.5 and 14 of 1905-06,case No.65 of 1906-07,cases Nos.34,37,64 of 1907-08,cases Nos.8,38 of 1908-09, Cases Nos.6,31 of 1909-10 and cases Nos. 12,13 and 15 of 1910-11.

Besides

Besides the above properties concerning cases Nos.1,9 and 43 of 1903-04, case No 14 of 1904-05 and case No.16 of 1907-08 are entered subsequently on a separate page viz, just above the entries concern-ing the official year 1910-11. These articles of property are still pending disposal. It should be explained why these entries were subsequently made on a separate page instead of according to dates among the entries of the preceding years. And early steps should be taken to deliver these properties to the parties concerned.

Register No.XI. (Stamps).

15. The following criminal records were examined viz, criminal cases Nos. 6,11,14,17,19,20,21,29,31,32,37,42,48, 53, and 60 of 1908-09, and Nos.3,20 and 42 of 1909-10, and Nos.1,2,4 and 20 of 1910-11, and Mis, Nos.42 and 43 of 1908 The stamps in these records have been duly punched. In some instances either the names of parties or the numbers of the cases have not been mentioned in the column of remarks of the stamp Register so as to indicate to what cases the stamps mentioned therein relate. This is irregular and such omissions should be guarded against in future.

Register No.XIV. (Cash)

16. This Register does not call for any remarks.

17. General Diary.

The General Diary has been written up to date.

Sd.- P.R.W.Wetherall
District Magistrate.

B.S.N.

1900-11 Jg 43

From The *District Magistrate,*
Bangalore District.

To The Secretary to the Govt.
of Mysore
Genl & Rev Departmt

Dated 26th January 191

Despatched

Received

General No.

S. No. 324

Enclosure No. 4

Secy's letter No. J. 1232-9 dt/15-10

Forwards copies of Notes of
Inspection of each of the Courts
of the Asstt Commissioners in the
District. — 4 —

1543

Office of the Deputy Commissioner,

Bangalore District.

Dated Bangalore, 25th January 1911.

26th

S. No. 324 Sub 4

C5782-10-8

From

B.J.Kumaraswami Naik, Esq., B.A.,
District Magistrate
Deputy Commissioner, Bangalore District.

To

C.S.Balasundaram Iyer, Esq., B.A.,

Offg: Secretary to the Government of His Highness
the Maharaja of Mysore, General and Revenue
Departments, Bangalore.

Sir,

With reference to your letter No.J.1232-9 dated 15th October 1910, asking me to forward copies of notes of inspection of each of the Courts of the Assistant Commissioners in this District, I have the honor to forward herewith the said copies of notes of inspection, as desired by you.

I have the honor to be,
Sir,
Your most obedient servant.

District Magistrate.

WBE

Notes on the inspection of the Court of the Assitant Commissioner and 1st class Magistrate, Closepet Sub-Division.

Dated 24th December 1910.

Presiding Magistrate.

Mr.C.S.Kuppuswami Iyengar, Assistant Commissioner and 1st class Magistrate presides over the Court at present.

Date of last inspection. This Court was last inspected by the District Magistrate on the 25th June 1909.

Register No.I. Since the date of the last inspection 309 cases have been brought on this register. They are as follows:-

For	1908-09	5 cases.
,,	1909-10	233 cases.
,,	1910-11	71 cases.

Of these 21 cases are pending disposal. Of the pending there are seven old cases and the rest are recently instituted. From the examination of these 7 old cases there is no unnecessary delay. The long duration is due to frequent changes in the personnel of the presiding officer and de novo trials.

Register No.II of summary trials. The Magistrate has not been empowered to try cases summarily.

Register No.III of mis-cases. Since the date of last inspection 152 cases have been brought on this register and they are as follows:-

For	1908-09	7 cases.
,,	1909-10	129 cases
,,	1910-11	26 cases.

Of these 10 cases are pending disposal. All these cases are Police B reports.

Register No.IV of witnesses. This register has been written up to date and calls for no remark.

Register No.VII of fines. This register was compared with register No.I of Regular cases and Register No.XIV of cash. The entries tally with one another. The amounts realized have been credited to the Treasury

Treasury in time.

Register No.IX of properties. 9 Since 1904 several unclaimed properties and properties produced in cases are pending disposal. The Assistant Commissioner Magistrate has been requested to examine the properties and bring me them to disposal soon.

Register No.XI of stamps. 10 This register is written up to date. Stamps produced in connection with cases have been brought on this register the very day on which they were produced. In some cases, the initial of the Magistrate is obtained upon the stamps but they are not punched. This should be done in future and the omissions should be rectified.

Register No.XIV of cash. 11 This register was compared with register No.I of Regular cases and register No.VII of Fines. The entries tally with one another.

General remarks. When the Court was last inspected, more than 100 cases were pending owing to frequent changes of Magistrates and the consequent de novo trials. The Court work just now is very satisfactory. The Magistrate has been working steadily and energitically and it is pleasing to note that several old cases have been disposed of with promptness.

Sd/-B.J.Kumaraswami Naik,
District Magistrate.

"C O P Y"

District Magistrate.

Notes on the inspection of the Court of the City Magistrate, Bangalore.

Dated 30th December 1910.

Presiding Magistrate

1 Mr.K.Krishna Iyer, Senior Assistant Commissioner and 1st class Magistrate presides over the Court at present. He assumed charge of this Court on the 30th November 1910. His immediate predecessor was Mr.Arvamudiengar who is now in charge of the Dodballapur Sub-Division.

Date of last inspection.

2 The Court was last inspected by Mr.A.Rangaswamiengar the then Hon.ourable Judge of the Chief Court of Mysore on 18th June 1904 since which date no inspection of this Court seems to have been made either by the District Magistrate or the Chief Court.

3 Since the date of the last inspection the number of cases that were brought on this register is as follows:-

For	1904-05	831 cases
,,	1905-06	836 cases
,,	1906-07	763 cases
,,	1907-08	1060 cases
,,	1908-09	1208 cases
,,	1909-10	902 cases.
,,	1910-11	438 cases.

4 The reason for the increase of the number of cases during the years 1907-08 and 1908-09 was due to the addition of the Bangalore Taluk criminal jurisdiction to the City Magistrate's Court under Government order No.J 1187-1227 dated 13-10-1907. Jl 196-06-6

5 There are 59 cases at present pending disposal. There is no unnecessary or inordinate delay in the disposal of these cases.

Register No.II of summary trials.

6 Since the beginning of this official year out of 438 cases 260 have been disposed of summarily. Of late some alteration has been adopted in writing up this register. In column No.11 of the register brief statement of reasons

reasons for finding is not given. The reason and other required particulars under section 260 C.P.C. are given on a separate printed form which is attached to the file of each case.

Register No.III of Mis-cases. Since the beginning of this official year 283 cases have been brought on this register. Of these 13 cases are pending disposal.

Register No.IV of witnesses. This register is written up to date but it is incomplete. In column No.12 of the register the explanation for not examining a witness who was present in the Court, is not given. The clerk has been instructed to rectify this omission.

Register No.VI of appeals. The Magistrate has not been empowered to hear appeals.

Register No.VII of fines. This register was compared with Register No.I of regular cases and Register No.XIV of cash and the items in both correspond with one another. There has been no delay in crediting the fine amounts to the Treasury.

Register No.IX of properties. Steps have been taken to dispose of the properties that have been produced before the Court. A list of unclaimed properties has been published in the Mysore Gazette dated 13th December 1910 calling upon the claimants if any to establish their right within six months. As regards the properties that were produced in connection with cases, notices have been issued to the parties.

Register No.XI of Stamps. This register is written up to date and the value of stamps produced in connection with application and cases have been duly brought on the register on the very day they were produced. Also the stamps have been punched.

Register No.XIV of cash. This register was compared with register No.I of regular cases and Register No.VII of fines. The entries tally with one another and calls for no remark.

General remarks. By the establishment of the Bench Magistrate's Court the work in the City Magistrate's Court is not heavy as it was during the years 1907-08 and 1908-09. As the Magistrate has

has been empowered to try cases summarily and has no other duties than Magisterial function, the Criminal cases are comparatively disposed of sooner than in other Courts. The reason for the decrease of cases during the years 1909-10 and 1910-11, is due to a large number of cases being transferred to the Bench Magistrates Court since established in the Bangalore City.

Sd/-B.J.Kumaraswami Naik,
District Magistrate.

"C O P Y"

District Magistrate.

Notes on the Inspection of the Bangalore Sub-Division... stant Commissioner Magistrate's Court.

Dated 23rd December 1910.

Presiding Magistrate.

Mr.C.Ranganatha Rao Sahib, B.A., B.L., Assistant Commissioner and 1st class Magistrate presides over the Court at present. His immediate predecessor was Mr. Thyagaraja Iyer, M.A., who is now Census Superintendent.

The date of the last inspection.

This Court was last inspected on 18th June 1904 by Mr.A.K.Rangaswamiengar the then Honorable Judge of the Chief Court of Mysore.

Register No.1 of regular cases.

Since the date of the last inspection, the number of cases that were brought on this register is as follows:-

For	1904-05	84 cases.
,,	1905-06	48 cases.
,,	1906-07	83 cases.
,,	1907-08	72 cases.
,,	1908-09	77 cases
,,	1909-10	78 cases.
,,	1910-11	51 cases.

At present 25 cases are pending disposal. Of these the oldest is case No.7 of 1907-08 instituted on 12th July 1907. The offence is under section 171 I.P.C. The accused was for some time in the lunatic Asylum and was handed over sometime back to the care of his parents under the orders of Government. The accused is reported to be still insane The other cases are recently instituted and there has been no instance of unnecessary delay in the disposal of cases.

Register No.II of summary trials.

The Magistrate is not empowered to try cases summarily

Register No.III of Mis-proceedings.

Since the beginning of the official year 58 cases have been brought on this register. Of these 21 cases are pending disposal. Of the pending 19 cases are appeal petitions under section 86 of the Municipal regulation -- against the orders passed by the City Municipal Council,

Council, Bangalore, regarding the imposition of taxes.

Register No.IV of witnesses. This register is written up to date correctly.

Register No.VI of appeals. The presiding Magistrate has not been empowered to hear appeals under section 407 C.P.C. But his predecessor had -- appellate powers. 23 appeal cases were heard and disposed of by him.

Register No.VII of fines. This register was compared with register No.I of regular cases and register No.XIV of cash. The entries tally with one another. The amounts of fines realized have been credited to the treasury the same day on which they were collected unless they were received late in the evening or the succeeding days were close holidays.

Register No.IX of properties. There are no properties, the disposal of which is unduly delayed. Notification has been sent to the Mysore Gazette regarding the disposal of unclaimed properties and notices have been issued to the parties to receive properties produced in cases.

Register No.XI of Stamps. This register is written up to date, the value of stamps produced in cases has been brought on this register, the dates on which they were produced and the stamps have been properly punched.

Register No.XIV of cash. This register has been compared with register No.I of regular cases and register No.VII of fines. The entries tally with one another. All the amounts received have been brought on this register the very day.

General remarks. All the file records have been properly arranged and the registers have been neatly and correctly written up.

Sd/-B.J.Kumaraswami Naik,
District Magistrate.

"C O P Y"

District Magistrate.

Notes on the inspection of the Dodballapur Sub-Division Magistrate Court, Bangalore.

Dated 31st December 1910.

Presiding Magistrate. Mr.G.Arvamuda Iyengar, Senior Assistant Commissioner and 1st class Magistrate presides over the Court at present. His immediate predecessor was Mr.K.Chandy, the present Deputy Commissioner of the Chitaldroog District.

Date of the last inpection. This Court was last inspected on 16th April 1903 by Mr. H.H.Sparkes, the then District Magistrate, ever since this date no inspection of this Court seems to have been made either by the District Magistrate or by the Chief Court. The number of cases that were brought on this register since the date of the last inspection is as follows:-

For	1902-03	60 cases.
,,	1903-04	66 cases.
,,	1904-05	81 cases.
,,	1905-06	57 cases.
,,	1906-07	35 cases.
,,	1907-08	92 cases.
,,	1908-09	71 cases.
,,	1909-10	58 cases.
,,	1910-11	30 cases.

9 cases are pending disposal at present. The oldest of the pending is case No.58 of 1909-10 instituted on 8th June 1910. From the perusal of the records there has been no delay in the disposal of cases.

Register No.III of Mis.cases. 12 cases have been brought on this register since the beginning of this official year. Of these 8 cases are pending disposal, 6 relate to disputes as to immoveable property under section 145 C.P.C. 1 case relates to maintenance under section 488 C.P.C. and the other case has been referred to the Police under section 202 C.P.C.

Register No.IV. of witnesses. This register has been written up to date and calls for no remarks.

Register No.VI of appeals. Since the beginning of this official year of the 32 appeals that have been referred by the District Magistrate to the file of this Court for disposal, only 9 appeals are pending disposal.

Register No.VII of fines. This register was compared with register No.I of regular cases and register No XIV of cash. In case No.11 of 1910-11, the 1st accused has been convicted and sentenced under section 379 I.P.C. to suffer rigorous imprisonment for 18 months and to pay a fine of Rs.20/- and in default of payment of fine to suffer additional 6 months rigorous imprisonment, the 3rd and 4th accused have been convicted and sentenced under the same section to suffer 6 months' rigorous imprisonment and to pay a fine of Rs.10/- each or in default to suffer additional 4 months' rigorous imprisonment. There is no reference to shew that distress warrants to levy the fine amounts, have been issued from this office. This omission should be at once rectified. In case No.30 of 1908-09, the complaint for preferring a vexatious complaint, has been ordered to pay a compensation amount of Rs.20/- to the accused. The amount was recovered on 23rd September 1908. But the amount still remains unpaid to the party. The same is the case as regards amounts of Rs.4/- and Rs.15/- in cases Nos.29 of 1908-09 and 11 of 1908-09 collected on 3rd September 1908 and 17th August 1908 respectively. These amounts have been credited to the Treasury. Notices should be issued to the parties concerned and the amounts should be returned to them without delay.

Register No.IX of properties. There are few properties that are pending disposal and calls for no remark.

Register No.XI of Stamps. Some case records were examined at random. In C.C. No.21 of 1908-09 the value of the stamps of one anna each affixed on copy applications, has not been brought on this

this register. Similarly in case No.22 of 1908-09 the value of Stamps worth Rs.1/- has not been entered in this register. But the stamps have been punched. The register has been written up to date.

Register No.XIV of cash. This register was compared with register No.I and Register No.VII. The entries were found to be correct.

General. The Criminal work of this Court is comparatively light.

Sd/-P.J.Kumaraswami Naik,

District Magistrate.

"C O P Y"

District Magistrate.

III 28/1 190 J1944

From

CS-182-10-8

The District Magistrate,

Kadur District.

To

The Secy. to Govt. of Mysore,

General and Revenue Depts.

Dated 17th

Despatched 27 January 1911.

Received

General No. 275

No.

Enclosure No. 2 file

Submitting notes of inspection of the criminal registers &c., of the Courts of the two Assistant Commissioners in this District, made by the District Magistrate.

GPB—75 reams—25 5 10

Office of the Deputy Commissioner,

Kadur District,

Dated, Chikmagalur, the 17th January 1911.

From

K.R.Srinivasa Iyengar, Esquire, M.A.,

District Magistrate,

Kadur District.

To

C.S.Balasundaram Iyer, Esquire, B.A.,

Offg: Secretary to the Govt. of Mysore,

General and Revenue Departments.

Sir,

As requested in your letter No. J.1232-9 dated 15th October last, I have the honor to forward herewith my notes of Inspection of the criminal registers &c., of the Courts of the ~~Two~~ two Assistant Commissioners in this District.

I have the honor to be,

Sir,

Your most obedient servant,

K R Srinivasa

District Magistrate,

Kadur District.

Notes on the inspection of Criminal Registers &c., of the Court of the Treasury Assistant Commissioner and 1st Class Magistrate, Chikmagalur.

Date of inspection. 5th January 1910.

This Court was last inspected by Mr. Justice H.V.Nanjundayya on 1st March 1906. Mr. V. Krishna Rao was then presiding over the Court and was succeeded by the following Magistrates one after the other.

Mr.T.Chokkanna, 1st Class Magistrate on 20-7-1906.

" K.Mylar Rao, 1st Class Magistrate on 23-9-1906.

" Kakshamana Sastry, 2nd Class Magistrate, on 20-10-1906 invested with 1st class powers on 22-[illegible]-190[illegible]

" G.Srinivasa Iyengar, 2nd Class Magistrate, on 29-6-1907.

" K.Srikantaiyya, 2nd Class Magistrate on 8-7-1907, invested with 1st class powers on 29-8-1907

" A.Krishnaswami Iyengar, 1st Class Magistrate, on 23-9-1907.

" G.Hanumanta Rao, 2nd Class Magistrate, on 27-8-1908, invested with 1st Class powers on 17-4-1909.

" R.T.Mahadeva Rao, 1st class Magistrate, on 1-10-1909.

" M.Krishnaswami Iyengar, 2nd Class Magistrate on 14-10-1909, invested with 1st Class powers on 5-11-1909.

" S.Chakrapani Iyengar, 2nd Class Magistrate on 8-2-1910, invested with 1st Class powers on 22-2-1910.

" S.Chakrapani is now presiding over the Court.

Register No. I.
Of Regular cases).

2 There were 8 cases pending at the date of last inspection and 424 have since been taken on file. Of the total number of 423 cases, 417 have been disposed of and 15 are pending and are in various stages of hearing and stand adjourned to different dates in December 1910 as noted below:-

C.No.	Date of institution.	Date to which posted.
15/1910-11	11-8-1910	7-12-1910.
20/	2-9-1910	3-12-1910.
24	19-9-1910	3-12-1910
29	24-10-1910.	14-12-1910.
31	27-10-1910.	5-12-1910.
32	27-10-1910.	4-12-1910.
33	1-11-1910	2-12-1910.
34.	9-11-1910.	9-12-1910.
35	9-11-1910	3-12-1910.
37	14-11-1910	12-12-1910
38	18-11-1910.	15-12-1910.
39.	21-11-1910	17-12-1910.
40	24-11-1910	10-12-1910.
41	26-11-1910	8-12-1910.

3 The nature of disposal of the 417 cases disposed of since the last inspection was as follows:-

117 cases ended in conviction;

108 under I.P.C,-

9 under Special and Local Laws;

1 under Game Regulation;

5 under Arms Regulation;

2 under Village Sanitation Regulation

1 under Excise Regulation.

124 cases ended in acquittal;

9 under Section 245 Cr.P.C.,

1 under Section 247 Cr.P.C.,

35 under Section 258 Cr.P.C.,

84 under Section 345 Cr.P.C.,

110 cases ended in discharge;

6 under Section 209 Cr.P.C.,

93 under Section 253 Cr.P.C.,

11 under Section 259. Cr.P.C.,

3 cases were struck off;

30 cases were transferred to other Courts;

15 cases were committed to Sessions;

18. were transferred to the miscellaneous file.

417

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4 Of the 117 cases convicted 39 are shewn to have been appealed against with the result that convictions in 20 were affirmed, In 13 reversed and 6 modified.

5 Of the 15 cases committed to Sessions,

2 ended in discharge;

10 ended in conviction.

1 case is pending and the result of Sessions trial in the remaining two cases C.C. No 63 of 1907-08 and C.C. No.19 of 1909-10 is not noted in the [illegible] Register.

6 Several cases which should have been taken on the miscellaneous Register have been taken on this Register in the first instance apparently by mistake and then transferred to the Miscellaneous file. Some of these relate to persons put up before the Court to be bound over for good behaviour under Sec. 109 Cr.P.C., e.g. Cases Nos. 23 & 24 of 1906-07. A few are complaints referred to Police for investigation (E.g. C.C. 43 of 1906-07 and 9, 18,67 of 1909-10). Others again were B reports submitted by the Police e.g. C.C. 20 of 1908-09.

7 Adjournments of cases are not regularly marked in every case.

The signature of the Magistrate has not been made in Col. 19 of the Register in several cases. The Magistrate who decided such cases having been transferred, their successors did not supply the omission apparently under the mistaken impression that it is only the Magistrate who disposed of a case that should attest the entries relating to the case This being an important Register extracts from which are used for tracing and proving previous convictions, it is to be regretted that some of the entries therein have not been properly authenticated by the signatures of the Magistrate for the time being. . The present Magistrate is requested to authenticate all such entries by reference to the original

records.

8

Register No. III.

(Of Miscellaneous cases)

12 applications were pending at the date of last inspection by the Chief Court and 533 have since been taken on file. Of the total number of 545 cases for disposal, 519 have been disposed of and 26 are pending.

9

The nature of cases disposed of was as follows:-

226 application for warrants under the Breach of Contract Act XIII of 1859.

33 ended in conviction;

83 --- in acquittal;

70 were withdrawn ;

40 cases were struck off for non-appearance of accused for over six months.

159 Police "B" reports of which

116 were accepted as false, the complainants having failed to shew cause against the acceptance

41 were dismissed under Section 203 Cr.P.C;

2 cases were transferred to the regular file.

16 Police "C" reports were accepted;

6 Police reports under Section 157 Clause "B" were accepted;

49 complaints were dismissed under Section 203 Cr.P.C.;

10 complaints were dismissed under Sec. 204 Cr.P.C;

6 applications for sanction to prosecut
for preferring false charges;
4 ending in sanction being granted;
2 ending in sanction being refused:

4 applications for ordering security under Chapter VIII Cr.P.C.,
3 ending in orders to furnish security
1 ending in discharge of accused.

10 applications under section 145 Cr.P.C of which 7 were granted and 3 rejected.

8 applications for maintenance of which 2 were granted and 6 rejected.
1 application for sending a lunatic to Government Lunatic Asylum.
1 forfeiture of bail bond under Section 514 Cr.P.C.
23 cases were transferred to other Courts.

519

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10 Police B and C reports are not taken on file as soon as received but only on final orders being passed thereon It is not therefore possible to say how long each of these has taken in disposal except by a reference to the record itself or to say how many of these are pending in the Court at any particular time. It is found from reference to record that some cases have taken over

a year for disposal after their receipt in Court from the Police. The Magistrates attention has been called to this and he is instructed to see that B and C sheets are registered on the Miscellaeous file as soon as they are received in the Court and that the several adjournments of the case are marked in Col. 10 of the Register as is done in Regular cases.

11

Register No. IV.

Of witnesses.

3880 witnesses attended the Court since the date of last inspection, of which 3142 were discharged on the first day, 547 on the second, 134 on the third, 16 on the 4th day of appearance 41 being detained over four days. Of the witnesses that attended, 2112 were actually examined and the rest discharged without examination.

12

Attendance of witnesses is not correctly entered in some cases as regards the number of days they attended. e. g. Case No. 27 of 1910-11 was taken up from day to day from 17th to 20th October 1910 and the witnesses were discharged on the 20th idem. The number of days of attendance put in is shewn as 3 instead of 4, Viz., 17th, 18th, 19th & 20th. C.C. No. 32 of 1910-11 was taken up from day to day from 10th November to 16th November 1910 with the exception of 13th November which was a Sunday. The number of days of attendance put in by 6

of the witnesses who were discharged on the 16th November 1910 is shewn as 3, whereas it should have been 5. One witness who attended from the 10th to the 14th (Sunday excepted) is shewn as having attended only for 2 days instead of 3. The day of first appearance or the day of discharge of the witness appears to be left out of calculation in calculating the number of days that each witness attended. This error is pointed out to the Magistrate.

Register No. VII.
Of fines.

13 Fines amounting to Rs. 1649/- were imposed since the date of last inspection. Of these, Rs.27-8-0 balance remaining unrecovered in C.C. No. 90 of 1905-06, and Rs.30/- imposed in C.C. No. 22 of 1907-08 have been struck off under the District Magistrate's orders as unrecoverable. The rest of the fines with the exception of Rs. 88-12-0 (which is balance outstanding in C.C. No. 68 of 1908-10) have all been recovered and remitted to the Treasury.

14 The dates of issue of warrants for the recovery of fines is not noted in Col. 11 of the Register. It is also noticed that in some cases the issue of warrants is delayed for some time after the sentenee. It has been pointed out to the Magistrate that if the fine is not paid immediately, it is ordered that

a warrant of distress should be issued at once and the fact noted in Col. 10.

Register No. IX. 15
Of property.

Of the properties produced before the Court, those in C.C. Nos. 6 of 1909-1910 and 18, 27, 30, 34 and 35 of 1910 still remain to be disposed of. Steps have been taken for their disposal by the issue of notices to the parties.

16

In some cases e. g. C.C. 55 of 1906-07, 46 of 1907-08, 59, 52, 84, & 99 of 1909-10 the properties are shewn as having been sent to the Police for return to parties concerned. The action taken by the Police thereon is however not noted in the Register. In C.C. No.99 of 1909-10 property was sent to Police for selling and remitting of the money to Court. The report of the Police has not been noted in the Register and the proceeds of sale has not been shewn as having been sent to Treasury. The practice of sending the properties to the Police for delivery to the parties is neither safe nor desirable and the Magistrate is requested to note to have recourse to it except when the parties themselves apply for the properties being sent through the Police.

Register No. XI. 17
Of Stamps

Written up to date.

18

Register No. XIV.

This tallies with Register No. VII of cash. But the transactions of receipts and ~~disbursements~~ payments are not properly entered under the appropriate headings for each date. This is pointed out to the Magistrate with instructions for writing up the Register correctly

General Diary.

This is written up to date.

Records.

Records of cases disposed of up to 1906-07 have been sent to the judicial Record room of the District Office and those from 1907-08 are retained here . The Magistrate has been requested to have these indexed and sent to the Judicial records at an early date. It is explained that the file being heavy, the only clerk attached to the Court for criminal work has not been able to attend to this work up to now.

(Signed) K.R.Srinivasa Iyengar,
District Magistrate,
Kadur District.

Copy
K R Srinivasa Iyengar
District Magistrate
of Kadur.

Notes of Inspection by the District Magistrate, Kadur, of the Court of the Sub Divisional Assistant Commissioner and 1st Class Magistrate, Kadur.

Date of present Inspection. 2nd January 1911.

Name and designation of the Inspecting Officer. Mr.K.R.Srinivasa Iyengar. District Magistrate.

1

Date of last inspection. 1st March 1906 by Mr.Justice H.V.Nanjundaiyya, M.A.,M.L., Judge of the Chief Court of Mysore.

2 Mr.M.Krishnaswami Iyengar, B.A., Assistant Commissioner, Sub protem, exercising powers of a 1st Class Magistrate, has been in charge of this Court since 5th February 1910.

Rogister No. I Of Regular cases.

3 The following table gives the No. of cases instituted and disposed of since last inspection.

Years.	Pending.	Instituted.	Total.	Disposed of.	Pending.
1905-06 March to end of official year.	13	35	48	42	6
1906-07	6	54	60	60	"
1907-08	-	76	76	65	11
1908-09	11	88	99	79	20
1909-10	20	71	91	76	15
1910-11 up to end of November	15	28	43	37	6

4 Of the 6 cases now pending 4 were filed during November 1910. The remaining two cases are pending for some time as shewn below:-

C.C. No. 19 of 1909-10 instituted on 25-11-1909
C.C. No.69 ---- do---- 27-5-1910.

5 In the first of the above cases the accused has been charged by the Police with the offence of receiving stolen property from a gang of Pamalore dacoits. These dacoits having, on their capture, been surrendered to the British Courts for trial, the properties connected with this case had to be produced there. They were received back only very lately and the case is posted to 5th January.

6 The second is a case of forgery instituted on sanction granted by the Munsiff of Chikmagalur and confirmed by the District Court, Shimoga. Appeal having been preferred to the Chief Court against the sanction, the orders of the Court are awaited before proceeding with the case.

7 Among cases disposed of already, in case No. 34 of 1908-09 two persons, a man and a woman, were accused of the offence of cheating. The Magistrate, Mr.B.Venkoba Rao, before whom the case went up, heard the prosecution evidence and then discharged the woman and framed

a charge against the other accused and posted the case for defence. At this stage he was transferred and was succeeded by Mr. C.R.Ranganatha Rao Saheb. This Officer on an application for de novo trial made by the accused against whom the charge had been framed not only commenced the trial against him but also resummoned and replaced on her trial the accused who had been discharged by his predecessor thereby praetically setting aside the order of discharge passed by the latter. This was apparently irregular and illegal. The woman was ultimately discharged by the 2nd Magistrate also for want of evidence against her.

Register No. III.

f Miscellaneous cases.

8 The following are the details of Miscellaneous cases instituted and disposed of since the date of last inspection.

Years.	Pending.	Instituted.	Total.	Disposed of.	Pending.
1905-06. March to end of official year.	4	28	32	29	3
1906-07.	3	110	113	109	4
1907-08.	4	124	128	123	5
1908-09.	5	58	63	63	"
1909-10	"	107	107	106	1
1910-11 up to end of November 1910.	1	6	7	7	"

9 The large number of cases instited during 1906-07, 1907-08 & 1908-09 is due to the Court having had to try cases

under Act XIII of 1859 arising within the Tarikere Taluk in these years owing to the Taluk Magistrate not having been empowered to take up cases under the Act

10 It is observed that B.Sheets received from the Police are brought on file only on the date of their final disposal. A few B.Sheets received within the last three months were also found lying without any orders and without even the date of receipt noted on them. The Magistrate should see that such irregularities are not allowed to be repeated and that Police B & C shee are taken on file as soon as they are received in Court.

Register No. IV.
(Of witnesses)

11 The sub joined statement shows the number of witnesses discharged after attendance. for.

Years.	1.	2.	3.	& 4 days.	No. actually examined.
1905-06. March to end of official year	215	107	19	-	106.
1906-07.	331	90	-	-	263.
1907-08.	540	21	8	-	384
1908-09.	786	332	28	10	511
1909-10	1031	104	25	6	341
1910-11 up to end of November 1910	264	28	12	-	176

12 14

Columns 10 & 22 of this Register are not written up properly. This has been explained to the Magisterial Clerk.

13 This Court exercised appellate powers for a time during the incumbency of Mr. Mylar Rao from December 1906 to June 1907 and during this period 13 appeals were preferred against the convictions and sentences passed by the 2nd and 3rd class Magistrates. Of these 4 ended in confirmation, 5 in the reversal and 4 in the alteration of the sentences of the Lower Courts.

14 Distress warrants for recovery of fines are not being issued promptly as soon as the sentences are passed and are delayed till the expiry of the sentences of imprisonment. The Magistrate will see that in future, the distress warrants are issued as soon as the sentences are passed when the fines are not paid up at once.

15 The following are the details for fines imposed, recovered and remaining in arrears during the period covered by the inspection.

Years.	Pre. arrears.	Imposed	Total	Amount received.	Re-mitted.	Written off.	Balance.
1905-06. March to end of official Year.	321-2-3	80/-	401-2-3	90-0-0	-	-	311-2-3
1906-07	311-2-3	445/-	756-2-3	441-2-3	-	-	315-0-0
1907-08	315-0-0	2055/-	2370-0-0	908-0-0	-	-	1462-0-0
1908-09	1462-0-0	1215/-	2677-0-0	1216-4-8	1000/-	-	460-11-4
1909-10	460-11-4	420/-	880-11-4	325-0-0	20/-	-	535-11-4
1910-11 to end of November	535-11-4	256/-	791-11-4	195-0-0	25/-	-	571-11-4

16 The amount of fines outstanding to be realized is Rs. 571-11-4 and this relates to those of the following years.

300/- for 1903-04.
10/- for 1905-06.
5/- for 1906-07.
145-11-4 for 1907-08
25/- for 1909-10.
86/- for 1910-11.

17 Of the amounts outstanding those from 1903-04 to 1907-08 are heavy and the first item is pending recovery for over 6 years.

18 The Magistrate should satisfy himself that proper steps are being taken by the Police for the recovery of these fines and where they are irrecoverable he should have them written off the accounts.

Register No. VIII (Of Warrants) and Register No. XII of Previous convictions.

19 These Registers have since been done away with under the Rules of Practice issued by the Chief Court.

Register. No. IX.
Of property.

20 Properties produced in 25 cases are now in Court. Of these three relate to cases pending and the remaining to those disposed of. The pending items are rather numerous. The Magistrate should have them brought to disposal without delay.

Register No. XI.
(Of stamps)

21 This is written up.

Register XIV.
(Of cash).

The entries in this Register have been compared with the receveries noted in the Fines Register and are found to agree.

A Diary.

22 This is written up and calls for no remark.

Records.

23 The records of cases disposed of till 1907-08 have been handed over to the Judicial Records of the District Office and these disposed of since are retained here. Of these, about 20 records of 1908-09 and an equal number of these for 1909-10 have yet to be indexed. The Magistrate has been requested to have this done early and see that all the records of cases disposed of till the end of 1909-10 are sent over to the Judicial Department.

(Signed) K.R.Srinivasa Iyengr

District Magistrate,
Kadur District.

" COPY".

K R Srinivasa

District Magistrate.

190

From.

The Deputy Commissioner and,
District Magistrate,
Tumkur District.

To

The Secretary to the Govt
of Mysore, Gen. and Rev
Departments
Bangalore.

Dated 28th January 1911

Despatched 31-1-11

Received

General No. 290

No.

Enclosure No. B

Forwarding notes of inspection of the Courts of the Assistant Commissioner Magistrates in this District.

GPB—75 reams—25-5-10

C8/182-10 (illegible).

Office of the Deputy Commissioner
and District Magistrate,
Tumkur District

Dated Tumkur 28th January 1911.

31.

From

K. Doraswami Iyer Esq.,
Deputy Commissioner and
District Magistrate,
Tumkur District.

To

C.S. Balasundaram Iyer Esq., B.A.
Offg. Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore.

Sir,

I have the honour to forward herewith notes of inspection of the Courts of the Assistant Commissioner Magistrates in this District as requested in your letter No J 1232-9 dated the 15th October 1910.

I have the honour to be
Sir,
Your most obedient servant,

For Deputy Commissioner and
District Magistrate.

Notes of inspection of the Registers and records of the Treasury Assistant Commissioner Magistrate of Tumkur.

Dated 29th December 1910.

Date of last inspection:- 22nd March 1910.

Name &c., of Inspecting Officer:- K. Doraswami Iyer Esqr., District Magistrate.

Name &c., of presiding Magistrates:- At the time of last inspection Mr N. Madhava Rao was in charge of the Court. Mr. C. Machia Assistant Commissioner and 2nd class Magistrate assumed charge on the 31st March 1910 and continued till relieved by Mr.A.K.Syed Taj Peeran Assistant Commissioner and 2nd class Magistrate who is now the presiding Magistrate. He took charge of this Court on 11th June 1910.

REGISTER NO.I (REGULAR CASES).

1. Since the date of last inspection 52 cases have been brought on this register, of these 2 cases were disposed of by Mr. C.Machia and 30 cases by the present Magistrate leaving 12 cases pending on the date of inspection. Case Nos.15 and 18 of 1910-11 were the oldest and both were instituted on 22-10-1910. The Magistrate exercises 2nd class powers.

2. The Police of Tumkur placed one Abdul Gaffer before the Court with a dozen Charge sheets for offences of theft under sections 379 or 380 I.P.C and these were treated as 6 cases, of which 5 cases were tried and disposed of. In the remaining one case though the Police have placed all the properties and witnesses completely before the Court with a charge sheet on 11-11-1910 the case has been frequently adjourned and lastly posted to 5-1-1911. So much delay should have been avoided.

The following table shows the particulars of the disposal of cases.

	Brought to trial		Convicted		Discharged		Pending	
	C	P	C	P	C	P	C	P
By Police	13	10	10	7	1	1	2	2
By private complaint	39	105	3	5	26	76	10	24
	52	115	13	12	27	77	12	26

(1) Dates of adjournments have not been entered in column 10 as per directions conveyed in Chief Court Circular No 174 dated 24t February 1908 . This should be noted and adhered to by the Magis trate .

REGISTER NO III (MISCELLANEOUS CASES)

3. Only 8 cases were brought on this register and all were Police B and C reports and they have all all been disposed of.

REGISTER NO IV (WITNESSES)

4. The correct procedure in making the attendance of witnesses has not been observed . The names of witnesses that appear are noted on the records and do not appear to have been entered in th register on the day of the appearance of the witnesses. This is irregular . The procedure in marking the attendance of witnesses was clearly explained to the clerk who keeps this register and th Magistrate will be requested to carefully look up the standing orders and circulars instructions of the Chief Court as to the correct mode of maintaining this register .

REGISTER NO VII AND XIV (FINE AND CASH)

5. These registers were duly compared with register No I and the entries found to tally .

(a) The headings of cash register as required in Rule of Practic No 65 dated 4th November 1898 1908 have not been altered though pointe out at the last inspection . The needful alterations will be made at once and all the columns correctly filled in and initialled by the Magistrate .

(b) In case No 50 of 1909-10 a sum of Rs 1-12-0 being the court

costs was paid to complainant by cheque on 5-5-1910 . This amount has not been brought on the cash register . This should be entered in the cash register and initialled by the Magistrate .

REGISTER NO IX (PROPERTY)

6. This register has been maintained . This register shows that properties produced in 11 cases remain undisposed of. In cases Nos 17, 18 , 20 ,21 of 1909-10 , proclamation time has already expired and no steps have been taken to put the properties to auction .

REGISTER NO XI COURT FEES STAMPS

7. This register has been posted up to date . The register was checked with a few records and the following omissions of entries were found .

(1) Rajeenama bearing 8 annas stamp produced on 21st May 1910 in criminal case No 86 of 1909-10 .

(2) Rajeenama and copy of application in criminal case No 80 of 1909-10 produced on 7th and 11th April 1910 respectively .

(3) Stamps to the value of Rs 2-12-0 produced for issue of process in criminal case No 81 of 1909-10 . These items of stamps should be entered in the register and initialled by the Magistrate.

8. GENERAL DIARY has been written up to date and call for no remarks .

9. RECORDS

Criminal records of 1909-10 and current records are not properly arranged and indexed with order sheets attached .

Old records from 1906-07 have not been sent to the Office of the District Magistrate for file . This was remarked in last para of the previous inspection notes . The Magistrate's particular attention is drawn to this .

The registers and records are not kept properly by the clerk of the Court . His work is unsatisfactory .

Sd/ K. Doraswami Iyer

District Magistrate.

"Copy"

A V Subramaniam

2nd For District Magistrate.

Notes of inspectionnof the Registers and records of the Court of the Assistant Commissioner and 1st class Magistrate of Gubbi Sub-Division Tumkur.

Dated 27th December 1910.

Datedof last inspection:- 25th March 1910..

Name &c of inspecting Officer:- K. Doraswami Iyer Esqr.,
District Magistrate.

Name &c of presiding Magistrate:- Mr. N. Madhava Rao the presiding Magistrate relieved Mr.K. Sreenivasa Rao Senior Assistant Commissioner and 1st class Magistrate on 22nd March 1910.

REGISTER NO. I (REGULAR CASES).

1. The number of Criminal cases pending during the Official year ending 30th June 1910 was 30, and 39 were since filed. The majarity of them have been promptly disposed of and the only cases pending were Nos: 17, 22, 24, 25, 28, 32, 33, 34, 35, 36, 38 and 39 of 1910-11. Case No. 17 is the oldest in which the complaint is for an offence under section 392 I.P.C. It was filed on the 5th September last and stands adjourned to the 18th January 1911 for the examination of one defence witness. Case Nos: 22 and 24 were filed on the 19th and 20th September 1910 respectively and have been adjourned for the defence. In case No. 25 the trial has not yet commenced. The remaining 8 were recently filed.

Particulars of the disposal of cases and persons concerned are given below:-

	Cases.	Persons.	Convicted.		Dishd:		Committed.		Ordered under sec: 562 C.P.C.		Pen	
			C.	P.	C.	P.	C.	P.	C.	P.	C.	P
By Police.	30	63	15	23	3	10	7	11	1	1	4	18
By private complaint.	39	125	3	10	28	90	0	0	0	0	8	25
	69	188	18	33	31	100	7	11	1	1	12	43

In almost all the cases the dates of adjournments were not entered in column 10 as per directions conveyed in Chief Court circular No.174 dated 24th February 1908. This omissionsshould be supplie

Reg U.

REGISTER NO. III (MISCELLANEOUS CASES).

2. 36 miscellaneouss cases have been entertained since the date of last inspection. Of these 20 were Police B and C reports, 9 were applications relating to disputes regarding possession of immovable property under section 145 C.P.C., 3 were applications for maintenance under section 488 C.P.C, one was for offence under Breach of Contract Act, 2 were cases of security for good bahaviour under section 107 C.P.C, and one was an application to prosecute under section 195 C.P.C, Of these only 4 were pending disposal.

REGISTER NO. IV (WITNESSES).

3. This register has been properly written up to date. In 6 cases 59 witnesses were discharged after 2 days' detention.

REGISTER NO. VI (APPEAL).

4. The Magistrate has not been empowered to hear appeal cases.

REGISTER NO. VII & XIV (FINE & CASH).

5. These two registers were compared with registers Nos: I & IX and checked. The entries correspond with one another. The fines collected have been credited into the Treasury without unnecessary delay.

(a) The headings of Register No.XIV cash have not been altered as required in Rule of Practice No.65 dated 4th November 1898, though pointed out during previous inspections. The Magistrate has been requested to get the needful alterations made at once.

page 87 of the Criminal Digest.

(b) In Criminal case No.58 of 1908-09 and Nos: 7 & 12 of 1909-10 an aggregate sum of Rupees 5-4-0 being the Court costs payable to the Complainants were recovered on 22-1-1909 and 27-9-1909. They are still shown as out standing. No action seems to have been taken in the way of issuing notices to the persons concerned to appear and claim the amounts. Very early steps should be taken to dispose of these items in accordance with the Chief Court circular instructions in this behalf.

(c) In criminal case No.20 the complainant was ordered to pay Rupees 20/- as compensation to the accused under section 250 C.P.C. The amount was recovered and credited to the District Treasury on 28-10-1910. In subsequently ordering the payment of the amount to the concerned party Financial No. 196, form 31, has been used by the court.

This is wrong. The refunds should have been made by means of Court cheque. Further, the number of the cheque and the date of payment has not been noted in Regsiter No. VII in the column provided therefor. Nor has this refund been noted in the cash register. These must be rectified & initialled by the Magistrate.

REGISTER NO. IX (PROPERTY).

6. This register has been duly maintained. The register discloses that properties connected with Criminal cases Nos: 44, 46, 47, 48, 51, 58, 60, 61 and 65 of 1909-10 and 8 and 9 of 1910-11 are in the custody of the Magistrate. It is hoped that needful steps would be taken to dispose of them as early as possible.

In Criminal case No.43 of 1909-10 a pair of Bulls was produced before the Court by the Police on 15-11-1909. The said bulls were ordered to be returned to the person from whom they were seized. The animals were handed over to the Police of Chiknayakanhalli on 29-11-1909, but signature has not been obtained from the Police Officer nor has any receipt been attached to the records. The irregularity was pointed out to the Magistrate and he was requested to obtain proper voucher and attach the same to the records.

REGISTER NO. XI (STAMPS & GENERAL DIARY).

7. These Registers have been properly posted up to date.

RECORDS.

8. The current records were examined and found to have been properly indexed with order sheets attached.

/Signed/ K. Doraswami Iyer
District Magistrate.

"Copy"

For District Magistrate.

222

Notes of inspection of the registers and records of the Assistant Commissioner and 1st class Magistrate Maddagiri Sub Division .

Dated 21st December 1910

This Court was last inspected by Mr. K. Chandy, Officiating District Magistrate on 28th April 1910

Name etc of inspecting Officer . K. Doraswami Iyer Esq
District Magistrate

Name etc of presiding Magistrates . Mr. M.A. Narayana Iyengar was in charge of the Court at the time of the last inspection and he was relieved by Mr. C. Machia Assistant Commissioner and 1st class Magistrate on the 25th June 1910 .

REGISTER NO I (REGULAR CASES)

1. 77 cases have been brought on this register since the date of last inspection . Of these 29 cases were disposed of by Mr. M.A. Narayana Iyengar and 39 cases by Mr. C. Machia, leaving 9 cases pending on the date of inspection . The particulars of th disposal of cases are given below:-

	Brought to trial		Convicted		Discharged or acquitted		Committed		Pending	
	C	P	C	P	C	P	C	P	C	P
By police	29	50	11	17	10	19	5	7	3	7
By private complaint	48	171	5	11	39	119	0	0	6	41
	77	221	16	28	49 39	138	5	7	9	48

2. REGISTER NO III (MISCELLANEOUS CASES)

2. 24 miscellaneous cases have been entertained , of which 5 were applications relating to disputes regarding possession of immoveable property under Section 145 C.P.C., one was an applicati for maintenance under section 488 C.P.C, and 17 were Police B and C reports .

In the last column of the register the Magistrate's orders have been entered in full . Substance of the final order would quite suffice and this has now been pointed out.

REGISTER NO IV (WITNESSES)

3. This register is properly maintained up to date . Almost all the witnesses have been discharged on the day of appearance except in a few cases where the witnesses were detained for a day longer.

REGISTER NO VI (APPEAL)

4. The Magistrate has not been empowered to hear appeal cases.

REGISTER NO VII AND XIV (FINE AND CASH)

5. These two registers were compared with registers Nos I and IX and checked. . The entries correspond with one another . The fines collected have been credited into the Treasury without unnecessary delay .

(a) In case No 85 of 1909-10 one rupee was ordered to be paid as compensation to the accused under section 250 C.P.C. and in default 8 days simple imprisonment . The order is incorrect . In another case (No 81 of 1909-10) a compensation of Rs 2/- and imprisonment in defaault was ordered to be paid to each of the 9 accused persons except the 1st . This is also incorrect.

In both the cases the Chief Court on revision set aside the award of compensation .

(b) In criminal case Nos 74,81,85, of 1909-10 an aggregate sum of Rs 19-8-0 being the Court cost and compensation had not been refunded to the complainant , nor any action taken towards the disposal of the amount by way of issuing notices to the concerned persons to appear and claim the amounts . Very early steps should be taken to dispose of the amount in accordance with the Chief Court Circular No ~~8~~ 88 dated 4th March 1890 .

page 22 of the Digest

REGISTER NO IX (PROPERTY)

6. This register has been duly maintained . The register discloses that properties in 10 cases are yet to be disposed of. Steps should be taken for their early disposal.

REGISTER NO XI (COURT FEES STAMPS)

7. This register was checked with the records and the court fees stamps were found to have been correctly entered .

General Diary .

8. The diary has been written up to date and calls for no remarks.

Records .

9. The current records were examined and found to have been properly indexed with order sheets attached.

The records of 1908-09 should be sent to the District Magistrate's Court for being filed at an early date .

Sd/ K. Doraswami Iyer
District Magistrate.

"Copy"

For District Magistrate.

2nd

J-2071

190

From

The District Magistrate,
Kolar District

CS 182-10-10

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General & Revenue Departments,
Bangalore.

Dated 4th
Despatched 10th February 1911.
Received

General No. 6529
No. 216
Enclosure No.

Submitting copies of the Inspection notes of the Assistant Commissioners and 1st Class magistrates' Courts in the District.

GPB—75 reams—25-5-10

No. 6525/216

District Magistrate's Office,

Kolar District,

Dated Kolar, the 4th January 1911.

From

C. Srikantesvara Aiyar, Esqr., B.A.B.L.,

District Magistrate, Kolar District.

To

C.S. Balasundaram Iyer, Esqr., B.A.,

Offg: Secretary to the Government of H.H. the

Maharaja of Mysore, Genl.&.Rev. Departments,

Bangalore.

Sir,

With reference to your letter No. J. 1232-9 dated the 15th October 1910, calling for copies of notes of Inspection of the Courts of Assistant Commissioners in this District, I have the honour to submit herewith copies of the inspection notes of the marginally noted four Assistant Commissioners' Courts in the District.

I have the honour to be,

Sir,

Your most obedient servant

B Kesavamurthy

For District Magistrate,

Kolar District.

(1) Special Magistrate, Kolar 5725 notes

(2) Assistant Commissioner and Special Magistrate, Bangalore

(3) Deputy Assistant Commissioner and Special Magistrate, Kolar

(4) Deputy Assistant Commissioner and Special Magistrate, Chikballapur.

NOTES of inspection of the Court of the Assistant Commissioner and 1st class Magistrate, Kolar Gold Fields, by the District Magistrate, Kolar.

Inspected on 5th, 6th, & 7th January 1911

This Court was last inspected by Mr. Justice H.V. Nanjundiya on 25th February 1907 when Mr. P. F. Bowring, the present Magistrate was incharge of the Court.

No. I. REGULAR REGISTER.

2. 3,198 cases were filed and disposed of since the date of last inspection, as shown below.

Year.	Total No. of cases.	Convicted.	Discharged or acquitted.	Committed.	Transferred.	Pending.
1906-07 from 27-2-07.	205	83	114	7	1	..
1907-08	718	289	409	7	13	..
1908-09	844	399	420	6	19	..
1909-10	957	424	476	12	38	7
1910-11 up to date of inspection.	474	202	229	4	1	38
Total	3,198	1,397	1,648	36	72	45

3. Of the 7 pending cases of 1909-10, the oldest case No.394, was filed on 18th November 1909 under Section 420 and 406 of the Criminal Procedure Code(cheating and Criminal breach of trust). On 3rd December 1909, to which date it had been adjourned, Mr. T. Chokkanna, Assistant Commissioner

and 1st class Magistrate who was in temporary charge of the Court, ordered that it being of a civil nature might lie over, till the parties who had brought an action in Civil Court concerning the same dispute, had reported the result thereof, and so it is still pending. The Magistrate's order was erroneous and the Criminal case should have been disposed of on its merits, which the Special Magistrate is now directed to do.

4. Case No.520 of 1909-10 was instituted on the 8th January 1910. At the close of the prosecution on 8th April 1910, exhibits Nos. A, B, & C produced in the case were sent at the request of the parties, to the Expert in Hand-writing at Calcutta for examination. The opinion of the Expert not having been received till the 2nd June 1910, the case was adjourned sinedie and it is posted to 2nd February 1911 for Expert evidence.

5. Case No.588 of 1909-10 (under Section 420 of the ~~Criminal~~ Indian Penal Code Cheating).

The/ accused in the case appeared before the Court on 1-3-1910. The 2nd accused absconded. On 7-4-1910 the Prosecuting Inspector having represented that there was hardly any case against the 1st accused and that it might be taken up when the 2nd accused was arrested and brought before the Court, the Magistrate released the 1st accused on bail and adjourned the case

sinedie . As the prosecution itself was unable to produce sufficient evidence against the 1st accused and the 2nd accused was not arrested and produced though the case was pending for more than 6 months, the Magistrate ought to have disposed of the case on its merits instead of adjourning it sinedie.

6. Case No.866 of 1909-10.

This was instituted on 17-5-1910 under Section 352 of the Indian Penal Code (Assault). The accused being absent and his whereabouts not being known, the Magistrate adjourned the case sinedie on 16th July 1910. The accused not having been produced before the Court though the case is pending for more than 6 months, it may be struck off the file.

7. Case No.908 of 1909-10.

This was instituted on the 31st May 1910 under Section 352 of the Indian Penal Code (Assault). Second and 3rd accused appeared on the 12th July 1910. A report having been received from the Police that the 1st accused absconded and ran away to Madras, the Magistrate ordered the processes to be issued against the 1st accused if he returned from Madras and adjourned the case sinedie. The 2nd & 3rd accused having appeared before the Court, the charge against them ought to have been disposed of instead of adjourning the case sinedie which the Special Magistrat is now requested to do.

8. Case No.910 of 1909-10.

This

This case was brought against one Munisami on 1-6-1910 under Section 36 of Mysore Mines Regulation for having ~~fkkk~~ failed to give due intimation of a Small-Pox case in his house. The case is pending for over 6 months. Accused has absconded and his whereabouts not known. Under these circumstances, this case also may be struck off the file.

9. Of the 38 pending cases of 1910-11, the oldest was filed on 5-8-1910. Other pending cases being of recent dates, call for no remarks.

10. In case No. 11 of 1907-08, 1st and 2nd accused are shown to have been convicted and sentenced to a fine of Rs.2/- each, but the disposal of the 3rd accused has been not shown in the Register.

11. In cases Nos. 27 & 28 of 1907-08 and 30, 32, 339, 427 & 459 of 1908-09, columns 6 to 9 and 11 to 13 have not been filled up, though such information was available from the records. The particulars required by the headings should invariably be inserted as far as possible.

12. Serial No. of cases in Regular cases during the year 1909-10, have not been given consecutively in the Register. They have been in some cases, entered as shown below:-

580, 581, 581, 582, 587, 584 585, 586, 583 and 588 again 659, 658, 657 and 660.

13. Case No.794 of 1909-10 instituted under Criminal Breach of Contract Act, has

been brought on Register No.I instead of in Register No.III (Miscellaneous Register).

REGISTER No. II.
(SUMMARY TRIALS)

14. 1,531 cases have been tried and disposed of by Summary trial since the date of last inspection. The Register has been completely written by the Magistrate himself.

REGISTER No. III.
MISCELLANEOUS REGISTER.

15. 1,296 Miscellaneous cases were filed during the period covered by this inspection as noted below and all of them except two have been disposed of

114	Maintenance cases
24	Good behaviour cases
1,691	Other cases
1,829	Total.

REGISTER No. IV.
WITNESS REGISTER.

16. This Register was compared with the following records and ~~found~~ the dates of discharge and attendance were found to have been correctly entered.

1	Criminal case No.	77	of 1909-10
2	-do-	905	-do-
3	-do-	623	-do-
4	-do-	78	-do-
5	-do-	790	-do-

REGISTER No. VII.
FINES.

17. The amount of fine imposed and recovered since the date of last inspection is as follows:-

YEAR.	Imposed	Recovered.	Amount struck of as irrecoverable.	Balance.
1906-07 from 27-2-07.	2,235- 0-11	653- 4-0		
1907-08	1,705-10- 0	1,635- 0-0		
1908-09	1,663- 4- 0	1,627- 4-0		
1909-10	1,357- 6- 0	1,322-14-0		
1910-11	1,085- 6- 0	1,086- 6-0		
Total.	8,046-10-11	6,324-12-0	1,407-4-3	314-10-8

18. Fine of Rs.10/- imposed on 1-6-07 in case No.567 of 1906-07 has not yet been recovered. No mention has been made in column 11 of the Fine Register for having issued a warrant for its recovery.

19. In cases Nos. 93 and 112 of 1909-10 accused were fined annas 8 each on 21-8-1909. But levy warrants were issued on 1-11-09 after a delay of two months and 10 days. Such delays should be avoided in future.

20. Court costs ordered to be paid to the complainants in the following cases have not as yet been paid to them. Early steps should be taken to disburse the same.

Criminal case Nos. 92, 80, 148, 183, 195 200, 272, 321, 190, 325, ~~114~~ 141, 330, 427, 450, 375, 471, 574, 612, 542, 640, 660, 637, 654, 642, 668, 732, 733, 736, 735, of 1907-08 and 49, 56, 404, 425, 543, 606, ~~822~~ 612, 644, 660 681, 686 and 872 of 1909-10.

REGISTER No. IX.

UNCLAIMED PROPERTY.

21. Gold, Sponge Gold and Amalgam valued at Rs.3,512/-, ordered to have been confiscated to Government in 54 Criminal cases since 1905-06, are still pending. They may, at an early date be sent to the Geological Department for being dealt with under Government Orders and the realizations credited to Law and Justice.

22. Sand and Quartz valued at Rs.466/- ordered to be confiscated in 66 cases since 1905-06 are also pending. They may likewise b

sent to the Geological Department for sale.

23. Fire arms ordered to be confiscated in the following cases should be disposed of early and sale proceeds credited to Government.

Criminal case No.707 of 1900-01 one Revolver

-do- 223 1904-05 one gun

-do- 653 -do- one gun

P. R. 137 Police F.46 of 8-11-05 one gun

Criminal case No.262 of 1905-06 one gun

-do- 275 1909-10 one gun.

24. In the following cases, guns and Revolvers have been ordered to be kept in deposit until the owners produce licenses and they are still pending in the Court. Instead of retaining them in the custody of the Court it is better to send them to the Superintendent of Police for needful action being taken according to Rules as quickly as possible.

Criminal Case No. 576of 1906-07 one Gun

-do- 392 of 07-08 -do-

-do- 526 -do- -do-

-do- 667 of 09-10 one Revolver

-do- 749 -do- one Gun

-do- 845 -do- -do-

-do- 846 -do- -do-

-do- 858 -do- -do-

-do- 170 of 10-11 -do-

25. Other properties produced in 252 Criminal cases have also been pending. Some of them have been ordered to be sold and the

est to be returned to their owners. Early steps may be taken to dispose them of as per Judgments.

No. XI STAMPREGISTER.

26. The entries of this Register were checked with the following records. The value of stamps ~~xxxx~~ have been correctly entered.

Criminal Case No. 11, 136, 632 and 733 of 1907-08.

-do- 77, 78, 133, 136, 215, 289 385, 442, 601 of 1909-10

-do- 336, 376 of 1910-11.

No. XIV CASH BOOK.

27. This Register was compared with Fine Register No.VII and ~~found~~ the entries were found to be correct. Collections of the Court as usual have been credited to Bowringpet Taluk Treasury once or twice a month and Treasury certificates obtained in the Remittance Register. Every day's collection is kept in the Court Iron Safe, the Key of which always remains with the Magistrate.

RECORDS.

28. The records have been stitched and ferists put up. In some of the records, Index sheets have not been written, which should be early attended to. The records have been holded up instead of being kept in book form.

29. Some of the Registers are torn. The Magistrate is requested to get them neatly bound at an early date.

Copy

B Kesavamurthy
for District Magistrate
Kolar

(signed) C. Srikantaswamy Aiyar
District Magistrate,
Kolar District.

Inspection notes of the Court of the Sub Divisional Magistrate, Chikballapur, by the District Magistrate, Kolar District.

The registers of this Court were last inspected by me on 25th May 1910.

The Date of present inspection is 22nd December 1910 and Mr. Ananda Rao, S. Sirsi is now presiding over the Court.

CRIMINAL REGISTER No. I.

1. There were 71 cases brought to trial since the date of last inspection, whose disposal is as shown below:-

Year.	Convicted	Discharged or acquitted.	Committed.	Transferred.	Pending.
1909-10	6	8	1	4	1
1910-11	18	12	2	9	10
Total	24	20	3	13	11

2. Of the 11 pending cases the oldest case No.70 of 1909-10 was instituted on 4th April 1910. It is almost closed and adjourned to 29th December 1910 for the examination of one defence witness, who is reported to be in British Territory and for whose appearance process had been issued. The trial should expedited.

3. Case No. 19 of 1910-11 was instituted on 25-8-1910 and has been adjourned to 17th January 1911 and the trial has not yet commenced. Case No. 24 of 1910-11 instituted on 13-9-10 stands posted to 30th December 1910 after five adjournments. The Magistrate will see that the case is disposed of

early.

4. Case No. 25 of 1910-11 was also instituted on 14-9-1910. It has been adjourned to 17th January 1911.

5. Other pending cases are of recent date and call for no remarks.

6. The disposal of property produced in case No. 77 of 09-10 is shown in Register No. I instead of in Register No. IX (Property Register) intended for the purpose. In future, the result of the trial of the case only should be shown in Register No. I.

7. In cases Nos. 77, 85 and 86, the disposal of only two accused is shown in the Register. No mention is made in the Register, how the 3rd accused was disposed of

8. Case No. 21 of 1910-11.

Complaint under Sections 323 and 352 of the Indian Penal Code was entertained and dismissed under Section 204 Clause (3) of the Criminal Procedure Code for non-payment of process fees by the complainant. Such cases should not have been brought on Register No. I, but entered in Register No.. III (Miscellaneous Register).

REGISTER No. III

MISCELLANEOUS CASES.

9. The following number of Miscellaneous cases has been filed and disposed of since the date of last inspection.

29 "B" Reports.

2 "C" Reports

(67)

6 Complainants petitions.
2 Applications for maintenance.
3 Disputes as to immoveable property
1 First Information Report.
1 Proceedings against a Lunatic.
2 Pending.
---
46 Total.

10. Of the two pending cases, one is under Section 145 of the Criminal Procedure Code for the possession of immoveable property and the other for maintenance under Section 488 of the Criminal Procedure Code.

WITNESS REGISTER.
REGISTER No.IV.

11. This Register was compared with some of the records and it was found that entries of dates of discharge and attendance had been correctly entered.

REGISTER No. VI.
APPEALS.

12. Since the date of last inspection up to date, 9 appeals have been disposed of as noted below and 1 is pending which was instituted on 17-11-1910.

In 3 cases, the sentence of the Lower Court was reduced.

In 2 cases, the sentence of the Lower Court was set aside.

In 3 cases, the sentence of the Lower Court was confirmed.

In some cases, the Magistrate's initials have not been taken in col: 11 of the Register.

No. VII Fine Register.

13. Since the date of last inspection,

fines amounting to Rs.143/- were imposed and collected. The previous arrears, pending collection, amount to Rs. 171/-, for the recovery of which necessary steps have been taken.

No. IX. PROPERTY REGISTER.

14. Disposal of properties produced in criminal cases Nos. 23, 15 and 28 of 1903-04 have not been shown in the Register.

15. Properties ordered to be confiscated to Government in cases Nos.26 and 47 of 1909-10 have not as yet been sold and the sale proceeds credited to Government.

16. Gold and Silver ornaments ordered to be returned to Narasanna, Timmaiya and Muddanna in criminal case No.77 of 1909-10 have not been returned as yet.

17. Notices have been issued to owner in cases Nos. 78 of 1909-10 and 3 and 43 of 1910-11 to take delivery of the properties.

No.XI. STAMPREGISTER.

18. The entries of this register were checked with 10 records, 4 of 1909-10 and 6 of 1910-11 and it was found that the ~~stam~~ stamps had been correctly entered.

Rs.66-8-0 as proces fees and Rs. 66-15-0 as other fees have been recovered since the date of last inspection.

RECORDS.

19. The records have been folded up and tied in bundles. They should be kept in book form instead of being folded.

Copy

(Sd) C. Sri Kantiah Aiyar
District Magistrate,
Kolar District.

B Narasimhaiyar
Asst to District Magistrate
Kolar

Notes of inspection of the Court of the Assistant Commissioner and 1st Class Magistrate, Malur Sub-Division.

Date of inspection- 7th November 1910

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This Court was last inspected by Mr. Justice H. V. Nanjundayya on the 2nd March 1907, when Mr.K.Srinivasa Rao was in charge of it. The Court is now presided by Mr. T. E. Jayarama Iyer, who took charge of it on the 28th January 1910.

Register No.I.

2. Since the date of last inspection, 232 cases were brought to trial, and their disposal is as shown below:-

	No. of cases brought to trial	Convicted	Acquitted or Discharged	Committed. Pending	
3rd March 1907 to end of June 1907	37	11	18	8	"
1907-08	100	13	70	8	"
1908-09	55	18	39	2	"
1909-10	21	4	18	4	"
1910-11 up to December 1910.	19	7	4	4	4
T O T A L	232	53	149	26	4

3. Of the 4 pending cases, the oldest is case No.16 of 1910-11 instituted on 13th October 1910, under sec

sec:307 I.P.C. (attempt to murder). Records show that it has been adjourned to 29th November 1910, as the complainant has been in Hospital under treatment forcserious injury. The other cases are all recently instituted and are in different stages of enquiry.

4. Case No.25 of 1906-07 was instituted under sec:182 I.P.C. for having given false information, on the 6th November 1906 and was dismissed under sec:203 Cr.P.C. on the 16th March 1907, after summoning the accused and witness for prosecution and after adjourning the case 4 times. The Magistrate can only dismiss a complaint under sec:203 Cr. P.C., if, after examining the complainant and cosidering the result of the investigation, if any, made under sec:202 Cr.P.C., he finds no sufficient grounds for proceeding, but not at the stage it had been dismissed.

5. Case No.60 of 1906-07. The accuseds in this case were charge-sheeted under sec:109 & 110 Cr.P.Code (requiring security for good behaviour by the Police, and they were convicted for having failed to furnish security. This, being a miscellaneous proceeding ought to have been brought on Register No.III, instead of No.I.

6. Case No.16 of 1907-08 under secs:419, 195, and 109 I.P.C. A note has been made in the Register to the effect

effect that the District Magistrate has been requested to withdraw this case from the file of this Court. The result of such a requisition or how the case was disposed of is not noted in the Register.

7. Case No.30 of 1907-08. This being a case under Criminal Breach of Contract Act XIII of 1859, should have been brought on Miscellaneous Register. Final order is not even noted in the Register which should now be done.

8. Case No.51of 1907-08. The accused in this case absconded on 2-12-1907. The case is still retained on file. As per Chief Court Circular No. 144 dated the 9th December 1899, this ought to have been struck off the file after six months. Similarly, Case No. 81 of 1907-08 instituted on 6-3-08 and in which accused has absconded may also be struck off the file, after such ~~ff~~ enquiry of the Police as may be deemed necessary.

9. For non-payment of process fees, Cases Nos.3 & 41 of 1908-09 have been struck off the file under Section 204(3) Criminal Pro Code. Such cases should have been brought on Miscellaneous Register instead of on Regular File.

Register No.III Miscellaneous Register.

10. 213 miscellaneous cases were filed since the date of last inspection. Of these only one case, No.12 of 1910-11 which

which was instituted on 7th November 1910, is pending.

Register No.IV. Witness Register.

11. This Register is properly maintained. The entries were compared with the records of 8 Crl. cases and found to tally.

Register No.VII. Fines.

12. The total amount of fines ~~re-~~ remaining unrecovered till the date of inspection as per this Register was Rs.150-0-0 as noted below, for the recovery of which warrants have been duly issued:-

Rs.50/- C.C. No.35 of 05-06.

Rs.50/- C.C.No.68 of 06-07.

Rs.50/- C.C. No.97 of 07-08.

But the latest half yearly statement of fines shows that a balance of Rs.248-9-9 is remaining unrecovered. The Magistrate is requested to explain the discrepancy by a special report.

Register No.IX. Property..

13. The properties produced in the following cases are yet pending disposal. They should be disposed of early and a special report submitted.

C.C.Nos.26,67,& 73 of 06-07.

C.C.Nos.72,&97 of 07-08.

" 12,20,25,35,46 & 53 of 08-09.

" 1, & 8 of 09-10.

Register No.XI Stamps.

14. The entries in this Register were checked with the following records and it was found that the value of the stamps and other particulars had been correctly entered.

entered.

C.C.Nos.12,19,38,40,93,96, &99 of 1907-08.

Register No.XIV. Cash Register.

15. The entries in Register No.I, as well as in "Cash" and "Fine" Registers were compared and found ~~them~~ to tally with one another.

Records.

16. All the records have been stitched and ferists put up. Some of the registers require binding, which should be got done quickly.

(Sd.) C. Sri Kantaswamy

District Magistrate,
Kolar District.

Copy

B. Ramachandra Iyer
for District Magistrate
Kolar

imposed by this Court, have been recovered and credited to Treasury.

No.IX Property Register.

8. All properties, except two coat produced in case No.35 of 1995-96 have been returned to the complainant on 13th December 1895 with a note in the Register that the above coats have been detained in Court for the purpose of evidence in case, the runaway accused is apprehended. These are still pending in Court. They should not have been detained in Court for such a length of ~~tim~~ time. Some final order as to their disposal should have been passed long ago and the property disposed of.

9. Disposal of the gun produced in Case No.21 of 1900-01 on 16th April 1901 is not shown in the Register. The Magistrate will ~~fi~~ find out where the gun now is or how it has been disposed of and report the result.

No.XI. Stamp Register.

10. The entries in this Register were compared with 15 records and it was found that stamps had been duly ccl--lected and entered in this Register.

Records.

11. All the records with the exception of 7 records of 1908-09 have been duly stitched and feristed.

(sd) C. Srikantaiya

District Magistrate,

Kolar District.

Copy

B Kesavamurthy

for District Magistrate

Kolar

Inspection notes of the Court of the Treasury Assistant Commissioner and 1st Class Magistrate, Kolar, by the District Magistrate, Kolar.

Inspected on 2nd December 1910.

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The Court was last inspected on 30th June 1906, when Mr. B. Venkoba Ra was in charge of it. Now the Court is presided over by Mr. A. Vedantadesiga Iyengar who took charge of it on the 30th April 1908.

No. I. Register of Regular Cases.

2. 92 cases were brought to trial during the period covered by this inspection, and their disposal is as sho below:-

	1907-08.	1908-09.	1909-10.
1. Convicted	1	7	5
2. Aquitted under sec:245 Cr.P.C.	4	"	2
sec:247	"	"	1
3. sec:248	"	"	2
sec:258	2	"	4
sec:345	4	1	6
3. Discharged under sec:253 Cr.P.C.	10	6	14
sec:258	"	"	"
sec:259	"	"	2
sec:209	1	"	1
4. Committed	1	1	2
5. Transferred	5	"	2
6. Pending	1	"	"
7. Struck off the file for pending more than six months	"	1	"
Total	29	16	41

3. All the cases have been disposed of with the exception of case No.14 of 1907-08 (offence under sec:408 I.P.C., Crl. breach of trust by a clerk ~~or servant~~) in which the accused has absconded and whose whereabouts arecnot known. It ought to have been struck off the file after the period of six months, as per Chief Court Circular.

para No(4) on page 31 of the Criminal Digest.

4. Accused in cases Nos.16 &40 were committed to sessions on 13th January and 4th July 1910 respectively. The result of the Sessions Court trial is not noted in the Register. They should be ascertained and noted.

No.III. Miscellaneous Register.

5. All the 28 miscellaneous cases instituted since the date of last inspection have been disposed of as shown below:-

	Cases
1907-08 - -	6
1908-09 - -	6
1909-10. - -	11
1910-11 up to date of inspection - -	5
Total	28

No.IV. Witness Register.

6. This Register is properly written up to date.

Register No.VII. "Fines"

7. With the exception of Rs.98-4-9, remaining uncollected out of Rs.100/- fine, imposed in case No.7 of 1908-09, all otheritems of fine imposed

G.R.S. 26]

CS

File No. 182-,
Serial No.

Diary No. of letter replied to

No. J 2501.

General and Revenue Secretariat
(CS)
, the 19 .

Date of issue 2-3-1911

Signed by for B. Ramaswamaiya

To

The Dt Magistrate,
Mysore.

Has the honour to invite Kind attention to this office Letter No. J. 1232-9/CS-182-10-1 dated the 15th Oct 1910 and to request that the submission of the Notes of Inspection of the Asst Commr Magistl Courts of the Mysore Dt (except that of the Court of the Asst Commr, Mysore Sub Dn, which has been received) may be expedited.

B.O.

for Secy

SUBJECT.

II 193 in CH J 2314

190

From

The Kantaraj Urs Esq., BCE.
Deputy Commissioner,
Mysore District.

To

C. S. Balasundaram Esq., BCE
Secy. to Govt. of Mysore,
Gen. & Rev. Depts.

Dated 13th March 1911.

Despatched

Received

General No. 509.

No.

Enclosure No.

Explaining delay in the submission of inspection notes of the various Subordinate Magistrates' Courts, and stating they will be submitted early.

S. 11.

GBPM—21-9-1910—1,000.

No. 589.
Enc. No.

OFFICE OF THE Deputy Commissioner
MYSORE DISTRICT,

Dated Mysore Camp 13th March 11 191

FROM

M.Kantharaj Urs Esq., B.A.
DEPUTY COMMISSIONER, MYSORE DISTRICT.

To

C.S.Balasundram Iyer Esq., B.A.
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE
GENERAL AND REVENUE DEPARTMENTS.

SIR,

With reference to your letter No. J250/dated 2.3.11 and subsequent reminder calling for the early submission of the notes of inspection of the Courts of Assistant Commissioners and Magistrates other than those of the Mysore Sub Division Assistant Commissioner, I have the honor to state that the inspection of the Court of the City Magistrate is almost completed and the Notes will be submitted in a course of two or three days. The notes of the Inspection of other courts may be expected by the 15th of the next month.

I have the honor to be
sir,
your most obedient servant

District Magistrate
Mysore

J 2430

III/2/10 Jr. K/ 190

From

S. Kantaraj Urs Esq., B.A.,
Dy. Commissioner,
Mysore District.

To

C. S. Balasundaram Esq., B.A.,
Secy. to the Govt. of H. H. the Maharaja of Mysore, Gen. & Rev. Depts.

Dated 25th March 1911

Despatched

Received

General No. 543
No.

Enclosure No. 1

Subject.

S.C.12.

Forwarding Copy of Notes of Inspection, City Magistrate's Court Mysore.

No. 5 [illegible]
Enc. No.

OFFICE OF THE District Magistrate
MYSORE DISTRICT,
Dated Mysore Camp 25th March 1901.

To

C. S. Balasundaramier Esq., B. A
Offg SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

SIR,

In Continuation of my letter No. 509 dated 13th instant, I have the honour to forward herewith a Copy of my notes on the inspection of the City Magistrate's Court, Mysore.

I have taken up the inspection of the ranjanged Sub Division magistrate's Court — the notes of which will be submitted by the end of this month.

I have the honour to be,
Sir,
Your most obedient servant
S Rhoades Sanders
Ja District Magistrate
Mysore District

Notes of Inspection of the Court of the City Magistrate of Mysore by the District Magistrate on the 13th/15 March 1911.

The Court is presided over by a Magistrate of the 1st class with appellate and summary powers
His Jurisdiction extends over all criminal cases arising winthin the limits of the Mysore,City, over the 2nd and 3rd class cases of the Mysore Taluk as also the 1st class cases of the Malavally Taluk. The present city Magistrate Mr.V.Srinivasa Rao, has been in charge of the Court since 7th August 1907.

2. Unlike the Courts of other Assistant Commissioners this court is solely devoted to criminal work and the establishment of this Court like the Establishment of other Assistant Commissioners before the revision of 1905 consists of one Head clerk and two other clerks with a menial establishment according to the old scale. Another clerk was recently added when the Amildar of Mysore Taluk was relieved of his criminal work. While the scale of this court was fixed on the analogy of the scale fixed for other Assistant Commissioners and while the latter was revised, the scale of this court has remained the same, and it is not clear as to why this was not also revised along with other courts in the year 1905. Criminal work of this court like the general work of the other courts has also enormously increased and it is therefore but right that this court also should have the same treatment accorded to it by its establishment also being strengthened.

3. The scale of pay of the menials has also been the same though the scale in the other case has undergone a revision.

4. This court was last inspected by the present Chief Hudge about the same time in the year 1909 the one previous

done by Mr. J.W.Best the then

previous to it by the official year following the date
Chief Judge.

The beginning of the action has been taken to be the start-
of the purposes of the present inspection.
ing statement A appended to this report shows the
number of criminal cases filed and the manner of
disposal since the year 1909-10. Out of 577 cases
filed up to date of inspection 201 have ended in con-
viction, 74 in acquittal and the rest were either dis-
charged or otherwise disposed of.

A little more than half of the cases convicted, discharged and acquitted were tried by summary procedure . One satisfactory result of this mode of trial is that about 5 per cent of the total number of cases tried were pending on the date of the inspection.

5. After deducting the cases transferred to the summary file, there remain 344 cases on the regular file of which 52 cases, that is nearly 25 per cent of the total number of cases actually tried are allowed to be pending at the date of inspection leaving out of consideration the cases compromised, withdrawn or struck off or dismissed. This result considered along with the average duration of cases regularly tried can scarcely be said to indicate anything like promptitude in the disposal of cases though the net result is on the whole fairly satisfactory owing to the bulk of cases having been tried summarily.

6. Out of 43 cases pending 3 are very old. One of them relating to the offence of cheating under section 420 I.P.C. c.No.246 of 09-10 has been pending for more than 1 year past that is since 8.2.10. Nearly 25 adjournments have been granted, the accused stands charged and the defence is practically closed. The 2 other cases are in respect of rioting at Hunsur. They are also

about 17 adjournments have also about one ye[illegible]. been granted in the result of appeals filed from 7. Appendi[illegible]his court. Out of 55 cases (regular) the judgme[illegible]ent in appeal of which only 2 were set convic[illegible]st being either altered or confirmed. In asid[illegible] case the sentence was enhanced by the Chief o[illegible] in exercise of their revisional powers.

[illegible]cords.

8. Written statements are liberally allowed to be filed on behalf of the accused. Though, as observed by the Chief Court in their latest decision, there is no objection to the written statements or affidavits being filed, yet little attempt seems to have been made to have the facts therein stated, elicited by means of a careful examination of the accused. In the case of cheating just referred to the Magistrate is apparently ~~is~~ satisfied with the bare statement of accused to the effect of his having filed a written statement.

Records in criminal case No.63 of 1909-1910.

Timmegowda Vs. Purushothamananda giri Gosai

This is a complaint filed under sections 379 and 352 I.P C. on 17.5.1909.

The Magistrate before referring the case to the Police for investigation had so meagrely recorded the statements that at a later stage when the complainant was dead the Magistrate had to suggest to the District Magistrate for reasons quoted in the margin the feasibility of the case being withdrawn when the case was reported as true by the Police. The Police Superintendent when consulted was of opinion that the available evidence was enough to bring the offence home to the accused. But the lamentable delay in making this reference to the District Magistrate is, it is found, not likely to help a good and true case. The records of criminal cases

Copy attached.

of more than six months old have been transferred to the central records as far as possible. Some of the records available in the Court were examined. They are charact-erised by long adjournments liberally and readily granted at the request of the parties for some reason or other. Vide criminal case No. 96 of 1909-10, 468 of 08-09.

12 Register No 1.

Some of the registers are maintained in kanarese, particularly the register No. 1 which is purely in kanarese. When the language of the Court is English and the Magistrate is empowered to record the evidence in English it is not understood why this register has been allowed to be kept in the vernacular. The Magistrate has been requested to have this register kept in English from the beginning of the next official year. Some of the kanarese expressions employed do by no means convey the meaning of the English legal terms which they represent. Some cases which ought to have been struck off on account of the whereabouts of the accused not being known are still kept on file.

13 Some of the cases so struck off seem to be important ones and the Police have not apparently taken steps for the accused being traced out. The Superintendent of Police will be addressed on the point separately.

14 In Railway Case No. 1 of 1909-10 a British born subject by name one H.J.Smith accused of an offence under the Railway Regulations has been directed to take his trial before a Justice of the Peace without reference either to the District Magistrate or the Government who in such cases expect a report re the result of such cases. The result has not been ascertained and noted in the register against this entry. Vide G.O.No. J.2018-27/Cts 05 dated 22-1-06.

✓ T

* Remarks for D no J2996 this being an urgent case.

BSK 30.5.11

15

Register of Summary trials No. II

This is in the hand-writing of the Magistrate and neatly maintained.

The substance of the evidence recorded in some cases is not so full and detailed as to satisfy a Court of revision. As for instance in Criminal Case No. 143/Sy.53 of 1909-10 the accused has been convicted of the offence of public nuisance under section 290 I.P.C. the particulars as to whether there were any passers by whose sense of decency might be said to have been affected by the act of the accused and also as to the time at which the offence was committed and such other allied matters as would justify a conviction under 290 I.P.C. have not been noted. In the absence of these facts a public nuisance reduces itself into an ordinary nuisance which is scarcely punishable under I.P.C. Vide also Case No. 469/Sy 23 of 1908-09 in this connection.

16

In some cases the fine awarded is out of all proportion to the means of the accused vide case No. 95/Sy.49 of 1910-11 while in other cases No. 98/Sy.52 and 99/Sy.51 of 1910-11 the fine awarded is too small regard being had to the means of the accused. All the above cases relate to the offence of theft or retention of stolen property under sections 380 or 411 I.P.C. In case No.234/Sy.82 of 1909-10 the accused has in the absence of any extenuating circumstances been sentenced to a fine of only one rupee for having stolen a log of wood. Such absurdly severe or lenient sentences serve no useful purpose and may even be said to be harmful in the result.

17

Register of Miscellaneous cases.

Remarks made in regard to this register in the inspection notes of the Mysore Sub Division Assistant Commissioner's Magistrate's court apply here with equal if not, with greater force. The entries relating to the

Serial 4 in the file.

the year 1909-10 do not at all bear the signature of the Magistrate. The Magistrate is requested to supply this omission at an early date with careful examination of this register with reference to the records.
The very object of maintaining this Register will be defeated unless the presiding Magistrate makes it a point to personally satisfy himself that the entries are properly posted in the Register.

18 <u>Property Register</u>.

This important register is slovenly kept with unattested interpolation having no serial number attached vide entry after serial No.84.

19 In No. 4 it is not clear whether any regard was had to the order of the court re the disposal of the porperty. A property consisting of some soverigns and other gold coins has been made over by the Head Munshi of the Court to two lads without their identity being established as ordered by the Magistrate and without the party being produced before the Magistrate. Though we have necessarily to look to the records for these things still there must be something in the register itself to indicate that the order has been complied with. The Magistrate's signature has not been obtained for the entry re the delivery of the property.

20 As required by the Chief Court's circular No.175 dated 31.3.08 the Magistrate has not certified in the Register as to the result of his examination of the properties with reference to this register.

21 He is requested to make out a list of properties ~~yt~~ yet to be delivered to parties and kindly furnish a certificate to the District Magistrate within one month from the date of the receipt of this memo as to whether all the properties mentioned in the list are forthcoming and whether they are in such form as they were originally produced.

(unclaimed or otherwise)

22

Witness Register

This register is maintained in accordance with instructions laid down in Chief Court circular No.162 dated 25.3.1905. No unusual detention of witnesses is observed.

page 65 ¶ 1 Regd

23

Fine Register.

Calls for no remarks except in one or two respects. There is an unexplained interval of some days between the recovery and the remittance to the treasury of fines vide serial No.2.

Order granting time for payment of fine is not noted either in records or in the Register- vide criminal case No.29 of 1910-11. It is not clear why the order of imprisonment in default was not enforced-vide serial Nos. 1 and 3.

Sy.22

24

Stamp Register

Stamps in records in crl. case Nos.57,52,5,6, and 9 all summary of 10-11 were examined with reference to this register and found correct. They have duly been defaced and punched.

25

Appeal Register.

The appellate jurisdiction of this Magistrate extends over such appeals as are referred to him for disposal by the District Magistrate. Such appeals number 36 of which 2 were pending on the date of inspection.

26

Circular file. is maintained and all the circulars have been filed as far as available.

27

The Court located in the heart of city in a fairly commodious building, . . The congested portion of the city around the court house having been recently removed by the Trust Board, it has gone a long way to improve the surroundings of the building. A good flooring has been recently provided. A protion of the building has been alloted for holding the Bench court with slight

slight alterations having been effected in the structure of the building to suit the convenience of both the courts. The accomodation appears ample enough for the present requirements of both the courts.

sd. M.Kantharaj Urs

District Magistrate

Mysore.

"Copy"

District Magistrate

Mysore.

Copy of order passed by the City Magistrate on 17.12.10 in Crl. case No.63 of 1910-11 on the file of his court.

Whether the case will stand when the complainant's evidence is not available is a point for consideration. The case has apparently reached a stage when the prosecution has to consider whether the case should not be withdrawn. If it is decided that the case should be proceeded with, it may go on. But then it XX is a simple theft case triable by any Magistrate.

The records will be submitted to the District Magistrate with a view to the case being referred to Mr. Ramanathan's court.

sd. P.Srinivasa Rao

City Magistrate 17 12 10

Appendix A.

Statement shewing the disposal of Criminal cases filed since 1909-10 upto-date of Inspection viz: 13-3-1911 in the Court of the City Magistrate Mysore.

Year	No: of cases committed.	Acquitted under Sections 245 & 258 Cr: Pro: Code	Discharged under Sections 258 & 209 Cr: Pro: Code.	Dismissed under Sections 247 & 259 Cr: Pro: Code.	Withdrawn under Sections 248 & 494 Cr: Pro: Code.	Compounded under Sections 345 Cr: Pro: Code	Committed to Sessions.	Transfer	Struck off on account of the absence of the accused.	Pending	Total.	Remarks.
1909-10. Regular.	34	19	13	5	27	75	3	24	17	9	358	
—Do— Summary.	74	31	27									
1910-11 Regular.	21	2	1	2	1	30	2	16	-	43	219	
—Do— Summary.	72	22	7									
Total	201	74	48	7	28	105	5	40	17	52	577	

S. Hubert Hampson
District Magistrate
Mysore.

B.

In the Court of the City Magistrate of Mysore

Statement showing the result of appeals filed against the judgment of the City Magistrate, Mysore.

Year	No: of cases Confirmed	No: of cases altered	No: of cases reversed	Total	Remarks.
1909—10	17	2		19	
1910—11	11	4	2	17	
Total	28	6	2	36	

S Krishnaswamy
District Magistrate
Mysore

Statement showing the miscellaneous work done in the court of the city magistrate Mysore for the year 1909-1910 and 1910-11 (to 13th March 1911)

Year	No: of cases struck off.	Dismissed under Section 203, Cr: P.C.	Dismissed under Section 204 Cr: P.C.	No: of cases under Section 145 Cr: P.C.	No: of cases under Section 464.	No: of cases under Section 514 Cr: P.C	No: of cases under Section 494 "	under Sections 107, 109 and 110.	Transferred to other Courts.	No: of cases under Breach of Contract Act.	No: of cases dealt with under the Lunatic Rules	Referred to the Police	No: of cases under Sec: 488 Cr: P.C.	No: of cases taken on Regular file.	Pending	Total.
1909—10	137	20	13	4	"	2	37	5	7	6	1	6	2	7	4	251
1910—11	74	23	13	4	"	"	"	1	"	4	4	"	1	3	50	177
Total	211	43	26	8	"	2	37	6	7	10	5	6	3	10	54	428

S. Richardson
District Magistrate
Mysore

JH

TH

5

Statement shewing the particulars of the disposal of criminal appeals filed in the Court of the City Magistrate Mysore from 1909 July to 1911 (13th March).

Year	No: of cases in which the Sentence of the Lower Court was confirmed	No of cases in which the Sentence of the Lower court was altered	No: of cases in which the Sentence of the Lower court was reversed	No of cases pending	Total	Remarks.
1909–1910	31	6	27	"	64	
1910–1911	11	3	12	2	28	
Total	42	9	39	2	92	

S Krishnaswamy
District Magistrate
Mysore

J 2497.

Sec/ff 1911 Apr 13

190

From M. Kantaraj Urs Esq., B.C.S.
Dist Magte & Deputy Commissioner,
Mysore District.

To C S Balasundaram Iyer Esq., B.C.S.
Secy. to Govt. of Mysore,
Gen. & Rev. Depts.

Dated 1st April 1911.

Despatched

Received

General No. 558.

No.

Enclosure No. 2 Reports &
Statement

Sl 13.

Submitting Reports of Inspection on the Courts of the First Class Magistrate of Nanjangud & Yelandur.

GBPM—21-9-1910—1,000.

No. 558
Enc. No. 2 Papers & 8 Rolls.

OFFICE OF THE District Magistrate.
MYSORE DISTRICT,

Dated Mysore Camp 1st April 1911.

FROM

M. Kantaraj Urs Esq., B.A.
DEPUTY COMMISSIONER, MYSORE DISTRICT.

To

C. S. Balasundaram Iyer Esq., B.A.
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

SIR,

In continuation of my letter No. 509 dated 13.3.1911 I have the honour to forward herewith the Inspection Notes of the marginally noted Courts inspected by me on the 28th instant. I have taken up the inspection of the Court of the French Rocks Division 1st Class Magistrate and Notes of Inspection will be forwarded by the 15th April 1911.

I have the honour to be,
Sir,
Your most obedient Servant,

Boppanna Iyer
Asst Cur.
for District Magistrate,
Mysore.

1. Nanjangud Sub Division 1st Class Magistrate.
2. 1st Class Magistrate in charge of the Yelandur Taluq.

Notes of inspection of the court of the Sub Division Magistrate of Nanjangud by the District Magistrate of Mysore on the 28th March 1911.

---

1 The court was last inspected by Mr. H.V.Nanjundayya M.A.,M.L., the then Officiating Chief Judge on the 20th June 1907. Mr. S.Vydyanatha Iyer who was then the Magistrate in charge continued to remain only as a 1st class Magistrate throughout in charge of the Sub Division though just before his retirement he was invested with the Sub Division Magistrate's and the appellate powers. It is only from the time the present Sub Division Magistrate, Mr. T.K.Sundararajiengar took charge of the division as successor to Mr. Vydyanatha Iyer that the exercise of the higher powers of a sub Division Magistrate commences. The date on which Mr. T.K.Sundrarajiengar assumed charge of this court has therefore, been taken to be the starting point for purposes of this inspection viz 17th February 1909 Since then 234 cases have been filed of which 55 ended in conviction and the rest were either discharged or otherwise disposed of:

2 Of cases convicted 20 went in appeal of which sentence in 13 cases was confirmed. Req. 11c 1- In 1 case the sentence was enhanced by the Chief court in exercise of their revisional powers as may be seen from statement No.B. On the date of inspection 19 cases were found to be pending of which the undermentioned are old ones.

3 1. Criminal case No.37 of 1910-11. This was originally with this file and the Magistrate dismissed the case for default. This order was revised by the District Magistrate and the case restored to the file. This is a case of cheating under section 420 I.P.C. The accused stands charged and the case posted to the 5th April 1911 for the cross examination of the Prosecution witness and examination of the defence witnesses.

4 2. Case No.11 of 1910-11. This is a case of perjury. The records have been submitted to the Chief Court through the Munsiff of Nanjangud at whose instance the case was instituted.

5 3. Mugur murder case. This is about to be withdrawn by the Police.

6 4. There is another case of perjury recently referred by the District Magistrate

7 5. Case No.47 of 1910-11 related to the offence of Cr. breach of trust by the Kasaba Shanbhogue of Nanjangud town. The accused is let on bail.

8 6. Criminal case No.6 of 1910-11. Althoor Robbery case. Delay in the disposal of the case was due to the accused having prayed for the transfer of the case first in the court of the District Magistrate of Mysore and next in the Chief court. Enquiry is proceeding.

Register No.1

9 The entries relating to cases filed ~~beofore~~ before the 17th February 1909 in this Register bear no signature of the Magistrate. This has reference to the period during which Mr.S.Vydyanatha Iyer was in charge. It is the same case with all the Registers and it is to be regretted that the registers should have remained unattested by the then Magistrate. The court clerks in charge who are apparently responsible for this irregularity ~~in charge~~ must be called upon to explain this omission and their explanations submitted for such order as the circumstances would justify. On examination of this register, it was found that a perusal of records of some of these cases to be commented upon elsewhere in the report was necessary and the same were examined with the following result.

Case Nos. 53 and 65 of 1908-09 have been still kept on file though the whereabouts of the accused are not known. The circular orders on the subject have been pointed out and the Magistrate requested to strike off these cases from his file pending the production of the accused

accused by the Police. It is unsatisfactory to note that the Police have apparently taken little or no pains to trace the accused. The striking off of a case from the Magisterial file does not dispense with the further efforts of the Police to bring the offenders to book. I have occasion to notice this omission on the part of the Police while examining the courts of other Magistrates and the attention of the Superintendent of Police will be called to this defect by sending an extract to this para.

Case No.59 of 1908-09 refers to an offence of criminal breach of trust committed by a postal runner by opening a sealed mail bag under sections 409 and 461 of the I.P.C. The accused has been convicted on his own plea and sentenced under both the counts. This is an offence committed in the course of the same transaction. Same transaction as recently observed by the Chief court in a number of cases has reference not necessarily so much to the proximity in time, but as to the continuity of purpose and action. In the case in question, the accused cannot commit a criminal breach of trust in respect of the contents unless he opens the sealed bag, and as such the sentence under the latter count is redundant and illegal and deserves to be set aside. Since the accused has already suffered the imprisonment and the Magistrate who convicted the accused is since dead, nothing further is called for.

12 Case No.35 of 1908-09 traced through the Fine Register. Since it relates to the period anterior to the present inspection. This is in connection with Sec. 14 (e) of the Arms Regulation the sanction necessary for the prosecution has been obtained from the District Magistrate Mr. A.Subramanya Iyer, but it is a question whether such a sanction is necessary since there does not seem to be any locality to which the sec. 10 has been specially extended by Government Notification in the Chamarajanagar Taluk.

13 Case No. 33 of 1909-10. In this case a girl of 10

10 years has been sentenced to simple imprisonment for 15 days. As the girl does not come under the operation of the whipping Act, she should have been sentenced to rather a long term of imprisonment to prevent her from being contaminated by a jail life. No doubt the girl is a "Koramar" belonging to a criminal class this fact is on the other hand all the more an argument for her being sent to the jail for being confined in a reformatory or some such thing in the Jail.

14 In case No.34 of 1909-10, a boy of 15 years has been sentenced to pay a fine of Rs.2/ for having stolen some grass, but the irregularity has been noticed by the Sessions Judge.

15 Case.No.20 of 1909-10. In this case, the Magistrate has convicted the accused of an offence under section 213 I.P.C. under peculiar circumstances. The accused in this case were convicted by the Amildar Magistrate of offences under sections 353 and 426 I.P.C. In appeal against this conviction the District Magistrate observed in his judgment that the accused might also be prosecuted for offence under sec. 213 I.P.C. On the strength of this observation which the Police have apparently taken to either a sanction to prosecute or an official command, the Police submitted a charge sheet before the Sub Division Magistrate though the case is triable by a II class Magistrate as observed by the District Magistrate in the same judgment, without procuring evidence as to whther the persons whom the accused are said to have screened under section 213 were really the offenders within the meaning of section 40 of the Indian Penal Code. It is immeterial for purposes of this case as to whether the original offence was actually committed or whether the persons screened were convicted before; but the evidence that there was such an offence committed and the offenders convicted should have been necessarily demanded. In the absence of such evidence which the Magistrate as well as the Police

Police seem to have ignored it is doubtful if the conviction against the accused could stand; and the trial without it would therefore seem to render irregular proceedings as having tended to prejudice the accused.

16 Case No.64 of 1908-09. In this case an adult of 25 years of age convicted under sec. 380/75 I.P.C. as per Police charge sheet, has been referred under sec. 349 C.P.C. by the Amildar Magistrate of T.Narsipur to the Sub Division Magistrate for enhanced sentence. Mr. Vydyanatha Iyer who was of opinion that the case should be tried denovo recorded some evidence accordinly. Mr. Sundararajiengar who succeeded him in office has convicted and sentenced the offender to only twelve stripes though the evidence of previous conviction has been adduced by the prosecution.

17 Case No.43 of 1910-11(Mis) This is an offence of criminal breach of trust committed by a shanbhogue of an Inam village. The sub Division Magistrate holding that the offence committed by the Shanbhogue amounts to Criminal breach of trust under section 408 I.P.C. has referred the case to the Amildar II class Magistrate of Nanjangud for disposal. Clause 10 of definition of Public servant includes or seems to include the Shanbhogue of an Inam village also in so far as the rent collected by him from the ryots is concerned and as such the case seems to fall under sec. 409 I.P.C. If it is decided that it is clearly an offence under sec. 409, the case becomes triable by a 1st class Magistrate and beyond the jurisdiction of the Amildar Magistrate

Stamp Register.

18 It is on the examination of this register that we find numerous irregulairities which are by no means satisfactory. Many entries of stamps collected as for instance Case No.78 of 1908-09, 21 of 1909-10, 23 of 1909-10 27 and 81 of 1909-10 have found no place in the stamp register Another serious irregularity noticed in

in connection with records examined with reference to this register is that some of the stamps have been found to be missing. Case No.24 of 1909-10. In this case a process fee of Rs.1-12-0 is noted in the Register; but stamps to the value of only 1-8-0 are found in the records. Similarly in case No.26 of 1909-10 a stamp of the value of 4 annas is found wanting in the records. Stamps in many records have not been punched. Criminal No. 107 of 1908-09, 23 &24 of 1909-10.

19 The punch that is now in use is quite unserviceable and one must be provided at once.

20 Miscellaneous Register is properly maintained. Some of the cases on this file have been struck off while the same ought to have been dismissed and conversely and some that ought to have been dismissed have been struck off There is observed to be no improper use of section 202 cpc. In some cases, the Police enquiry has been ordered without the complainants statement properly recorded.

21 On the date of inspection, cases have been found to be pending, the oldest being that noted in the margin.

Property Register.

22 A list showing the property yet to be disposed of is appended to the report. On a reference to it, it may be seen that many of the properties could have been disposed of long ago. The Magistrate is requested to see that all of them are disposed of in accordance with the order passed in respect of each and a certificate is sent to the District Magistrate as required by Chief Court circular letter No.175 of 31-3-08 at the end of the current official year.

23 Fine and Cash Registers.

These call for no remarks. They have been kept properly. Similarly the witness Register is properly maintained in accordance with the latest circular on the

the subject. In only one instance i.e. in case No.39 of 09-10 on the 16th to 20th of October 1909, 6 witnesses have been detained consecutively for 4 days.

Records.

Records have not been sent to the Central Records since the year 1907-08. This is contrary to the Cir. letter No.77 on this subject. An early opportunity must be taken to despatch them properly arranged to the District Records. It is seen from some of the copies granted to parties that no certificate is engrossed on them requiring parties to take delivery of exhibits filed in their criminal cases. This rule must invariably be observed in future.

sd. M.Kantharaj Urs
District Magistrate of Mysore.

Copy

A.C.

for District Magistrate of
Mysore.

Notes of Inspection of the Court of the 1st class Magistrate in charge of the Yelandur Jahagir by the District Magistrate of Mysore on the 28th March 1911.

The Sub Division 1st class Magistrate Nanjangud is also in charge of this court. Mr.T.K.Sundrarajiengar who succeeded the late Mr. S.Vydyanatha Iyer on the 17th February 1909 continued to be in charge on the date of inspection. The recent notification of Government defining the territorial jurisdiction of Sub Division Magistrates has rendered the position of the Sub Division Magistrate Nanjangud rather anamalous in respect of the Yelandur Jahagir . Upon a reference made by the Taluk Magistrate of Yelandur in connection with a case referred to him for investigation under sec. 202 C.P.C. as to whether the Sub Division Magistrate can consider the former as a subordinate for purposes of this section, it has been held that as the Taluk of Yelandur is not comprised within the Revenue Sub Division, the Sub Division Magistrate could not extend his higher powers outside his Taluk. This has given rise to a question as to whether the Sub Division Magistrate can only a 1st class Magistrate in respect of an other Taluk even though this may not be within his Revenue Sub Divisi n This anamaly is intended to be removed by a recommendation to Government for the Taluk of Yelandur being also tacked on to the Nanjangud Sub Division in view to fecilitate the exercise of higher powers in respect of this Taluk also. This will however form the subject of a separate communication to Government.

This court does not seem to have even been inspected at all and there is no clear reference to show as to when and by whom this court was last inspected. At the time of the last inspection of the Assistant Commissioner Magistrate's court at Nanjangud by Mr. H.V.Nanjandiah, Offg: Chief Judge in June 1907, this court was being held at

at Mysore presided over by the Treasury Assistant Commissioner . The present inspection is therefore carried as far back as to the time from which the Register are forthcoming in the court viz., 1905-06.

3 Since then 56 cases have been taken on the regular file of which 24 have ended in conviction the rest being either discharged, acquitted or otherwise disposed of.

4 Of 8 cases appealed from the judgment of this court 3 have been confirmed the rest are set aside as will be seen from the statement B appended to the report.

5 On the date of inspection 4 cases were pending on the file, the oldest being case No.1 of 1910-11. This relates to the offence of false personation under sec. 170/465-471 I.P.C. This was originally on the file of the Amildar Magistrate of Yelandur but subsequently transferred to this court on 18-7-1910 upon a reference from the Amildar Magistrate. Since then 7 adjournments have been granted the last one being on 1.3.1911. It stands adjourned to the 5.4.1911 for the examination of the court clerk of the Munusiff's court Nanjangud.

6 It may be seen from the statement A that the file of this court which was all the while somewhat light, has during the current official year, grown rather heavy on account of the Taluk Magistrate being only a third class Magistrate and the second class ~~xxxxxxxx~~ cases having had to be tried by this court.

Register No.1

7 Criminal case No.2 of 1905-06 has reference to a case of prosecution under sec. 14(E) of the Arms Regulation. This section has reference to sec.10 (vide gazette copy) which declares that sanction for prosecution under sec. 14 (E) is necessary from the District Magistrate. There does not seem to be any sanction obtained since there is apparently no part in the Yelandur Jahagir

Jahagir to which sec. 10 has been specially extended by Government Notification. This could have been made clearer by a reference to the records but the same are not forthcoming as I have occasion to observe later on. Some of the available records, examined call for no remarks except that some cases have been allowed to drag on for unusually long periods for some reason or other.

8 Fines and the stamp revenue levied in this court go to the Jahagir funds and as such call for no comment. It is the look out of the Jahagirdar to see that the fines and other receipts are properly received in his Treasury. The existing punch seems to be very old and unserviceable. One should be applied for from the Stamp Commissioner, its cost being met from the Jahagir funds.

9 Property Register

A gun produced in case No.2 of 1905-06 still remains undisposed of though it is five years since that the same was produced nor is the property forthcoming in the court. It must be ascertained at once and the action taken for its disposal reported separately to the District Magistrate. It is a point for consideration in this connection as to whether the sale proceeds of properties disposed of under Arms Regulation have to go to Government or to the Jahagirdar. The present 1st class Magistrate will submit a special report as to what the practice is and how it has been disposed of on previous occasions. A hand kerchief is said to have been sent to the Sessions court in connection with case No. 3 —— of 1905-06 Its disposal ought to have been ascertained either from a reference to that court or to the judgment pronounced in that case.

10 Witness Register calls for no remarks except that some of the entries relating to the year 1906-07 seem to have been made without properly understanding the instructions on the subject.

11 Miscellaneous Register is properly maintained and in fact there are only a few cases dealt with on the mis side no improper uses of sec. 202 C.P.C. has been noticed.

12 In regard to the preservation of the records of this court, I have to observe as follows:-

Like the other courts of the Province this court is also governed by the circular instructions and rules of Practice issued from time to time by the Chief court. But in regard to the preservation and custody of the records the same do not seem to have properly observed. Rules of observance on the subject have been clearly laid down in circular No.27 and it is not understood as to why the records of this court are not according being sent up to the Central records for custody. They are all said to be in a locked room of the Taluk cutcherry at Velandur. While the court is at Manjanqud and the records at Velandur, I do not see how the inspecting officers can ever examine the records to find out whether the rules of sorting have been duly observed, documents and other exhibits duly returned to the parties whether stamps produced are found in records duly defaced and punched, whether applications for copies of old records are duly complied with. There is however, no objection to the records of the Taluk Magistrate's court being separately filed along with the Revenue records of the Taluk, but since the 1st class Magistrate's court is away from the Taluk I do not see why the old records as required by the chief court, should not be transferred to the central record or to the Records of the place hwere the court is being held to be always &&&& in charge of a clerk appointed of course by the Jahagirdar As the presiding Magistrate of this court is paid from the state Revenue it is but essential that the records should be kept quite independent of the control of the Jahagirdar.

3 In regard to the supply of printed registers and froms I am to observe that it is but right that the Jahagirdar

Jahagirdar should pay his quota of the indent we supply to his court seeing that the stamp revenue and the receipts of criminal courts will go to his Treasury.

sd. M.Vantharaj Urs
District Magistrate
Mysore

'Copy'

District Magistrate of Mysore

"A"

Statement showing the disposal of Cases filed in the Ranjangud Sub Division Magistrate's Court.

From 17-2-1909 to 28-3-1911.

Compromised	Discharged	Acquitted.	Struck off.	Transferred	Committed.	Convicted	Pending	Total	Remarks.
63	24.	18	2	34	19	55	19	234	

Fine amount outstanding 300-5-6
warrants for levy issued.

Boyanna Rao
A. C.
for Asst. Sub Magistrate,
Ranjangud

B.

Statement showing the Results of Appeals against judgements passed in the Sub Division Magistrate's Court, Ranjangud From 17-2-09 to 28-3-1911.

Total Cases appealed - against	Cases in which appeals were dismissed and Sentences Confirmed.	Cases in which Convictions were upheld but Sentences were reduced or altered	Cases in which Convictions were set aside.	Cases in which Sentences were enhanced.	Remarks.
21	13	4	3	1	

Benjamin Aram
A.C.
for District Magistrate,
Seringapatam District

C.

Statement showing the disposal of Miscellaneous Business in the Sub Division Magistrate's Court Ranjangud from 17-2-1909 to 28-3-1911.

Dismissed	Struck off.	Security for peace ordered	Security for good behaviour ordered.	Possession ordered	Maintenance ordered	Ordered as lunatics	Bail bonds forfeited	Total	Remarks.
46	72	1	4	11	1	.	1	136	

Asst. Commissioner
&
Ex-Officio Dist. Magistrate
Nagamangala Dist.

List of property pending disposal in the Sub Division Magistrate's Court at

Ranjungud 28.3.1911

Serial No	No. of Case to which pertaining	Names of articles	Remarks.
1	35/02-03	One sword	Proclamation published
2	63/06-07	One long knife and one hatchet	Proclamation published
3	crime 6/16 of 04-05 of Gundlupet	One broken watch	Proclamation published
4		1 small hatchet 2 Hatchet without handle, one boring instrument and one sickle	Proclamation published.
5	66/07-08	one chopper and 1 fishing net	Proclamation published
6	6/07-08	One chopper	Proclamation published
7	Mis 62/07-08	One teak-wood Box	To be returned to Kalale Siddamma
8	147/07-08	One hatchet	Not claimed. To be sold.
9	64/08-09	one Copper handa	Owner resides in the Coimbatore District
10	103/08-09	1 small "Kottu" 1 Big Kottu and 1 head string, all gilt ones.	To be destroyed.

11.	68-09	1 Adaden, 1 basket and 1 gunny [illegible] Kaga	Nagavally. Rest to be sold
12	9/09-10	1 Kannagattiri, 1 shirt and 1 red waist coast	To be sold or destroyed
13	37/09-10	1 Kannagattiri, 1 oonne and 1 chopper	To be sold.
14	51/09-10	one torn white pauche	To be sold or destroyed.
15	64/09-10	1 Kambli and a pair of Vasthram or hand Kerchief	To be sold.
16	68/09-10	Shawl Etc.	To be returned.
17	74/09-10	One dagger	To be sold.
18	35/10-11	1 Sickle	To be destroyed
19	51/10-11	Aloe stick etc 16 art.	Pending Case.
20	57/10-11	1 Sickle, 1 knife, 1 Basket, 1 piece of wood and 1 gunny bag	Case disposed of 4.2.11
21	65/10-11	14 clubs.	To be sent to Sessions 11.4.1911

Boopendranathan
A.C.
Asst District Magistrate
Wynad

- Append

Shewing the disposal of Regular cases on the file of the 1st class Ma
1905-06 till 28-3-1911, the date of inspection. ——————

Total no. of cases	Compromised	Discharged	Acquitted	Struck off	Transferred	Committed	Convicted	Pending
56	11	5	7	3	—	2	24	4

gistrate incharge of Velandur jaghir court Nanjangud, From the Year-

Remarks.

* Case no: 1/18-7-1910, 16/26-1-11, 18/14-2-11, 20/20-3-11,

Case no: 1. This is an offence of false personation and forgery under Sections 170, 465 and 471 I.P.C. It was originally on the file of the Taluk Magistrate and subsequently referred to this court by the District Magistrate on 18-7-1911. The case has been closed and stands posted to 5-4-1911 for the examination of a clerk of the Munsiff's court, Nanjangud.

Case no: 16. This case was taken on regular file on 26-1-1911 and posted to 23-3-1911. The complainant was examined on that date and adjourned to 10-4-1911. This is an offence under Sec: 395 I.P.C.

Case no: 18. The complainant preferred a complaint under Sec: 430 I.P.C on 19-11-1910 which was referred to the Taluk Magistrate for investigation. The Magistrate submitted the records and the case was posed to 22-3-1911 for hearing. On that date the pleader for the accused wanted an adjournment and accordingly adjourned to 27-4-1911

Boyanamathan
District Magistrate
Mysore

Appendix B.

Shewing the result of appeals in convicted cases.

Confirmed	Set aside	Altered	Enhanced.	
3	5	"	"	

Amount of fines unrealized. Rs 70-0-0. Seventy only.
warrants issued for Rs 10-0-0 in case no: 15 of 1910-11.
Result in appeal is awaited for Rs 60-0-0 in case no: 9 of 1910-11.

Rajamanathan
A.C.
District Magistrate
Salem
7/11

Appendix 6.

Shewing the disposal of miscellaneous cases.

Total no. of cases	Referred	Dismissed	Struck off	Security for keeping the peace	Possession	Security for good behaviour	Maintenance	Lunacies	cases under Police Regulation	Transferred to Regular file	Pending	Remarks.
30	2	6	11	2	1	"	"	"	4	3	1	One case for keeping the peace is pending from 7-4-1910 and stands posted to 4-4-1911.

Bijnamanalayam
A.C.
District Magistrate
Tuppoor

94

24

List of property pending disposal in the Nilambur Jagir 1st class Magistrate's court Nanjangud:

Serial No:	No. of case	Description of Property	Remarks.
1	2 / 1905-06	Double barrel Pistol.	Accused did not appear.
2	4 / 1907-08	One knife.	To be sold
3	4 / 1910-11	1. Wooden tamper.	Case disposed of on 28-2-1911.
		4. Bamboo Sticks.	To be destroyed
		1. Handle of axe.	
		1. Blood stained bodice.	To be returned
		1. do — Ravehi.	
4	11 & 12 / 1910-11	One Iron bar.	To be sold.

Nanjanagud
A.C.
District Magistrate
Mysore

J 2652

Secy 29 Apr. Cb

190

From A. Ibrahim Sayed Esq.,
Offg Deputy Commissioner,
Mysore District.

To C.S. Balakrishnaiah Esq., BA
Offg. Secy. to Govt. of Mysore,
Gen. & Rev. Depts.

Dated 18th April 1911

Despatched

Received

General No. 597
No.

Enclosure No. 1 Report & 3 Statements

Submitting report of Inspection of the French Rocks Sub Dn. 1st Class Magistrate

GBPM—21-9-1910—1,000.

No. 597
Enc. No.

OFFICE OF THE District Magistrate
MYSORE DISTRICT,

Dated Mysore Camp 18th April 1911 191

FROM

A.Subramanya Iyer Esq., B.A.
DEPUTY COMMISSIONER, MYSORE DISTRICT.

To

C.S.Balasundram Iyer Esq., B.A.
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

SIR,

In continuation of my letter No.509 dated 13-3-11 I have the honor to forward herewith my notes of Inspection of the Court of the Assistant Commissioner and 1st class Magistrate in charge of the French Rocks Division and to state that the remaining 2 courts viz, the courts of the Treasury Assistant Commissioner and the Special Assistant Commissioner attached to this District were not inspected as they commenced to work as Magistrates only very recently

I have the honor to be
sir,
your most obedient servant

A Subramanya Iyer

District Magistrate
Mysore District.

Notes of the Inspection of the court of the Assistant Commissioner and 1st class Magistrate in charge of the French Rocks Sub Division by the District Magistrate of Mysore on 15.4.1911

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1 The court was last inspected by the District Magistrate (Mr.C.Madiah) on 30.8.1899. Since then several changes have taken place in the French Rocks Sub Division. The late Sub Division Magistrates of French Rocks used to exercise practically the powers of a District Magistrate over this Sub Division in subordination to the District Magistrate of Mysore the last holder of such powers was Mr.K.S.Dorasami Iyer.

Such a division was split up into two divisions for administrative purposes and placed in charge of two different Assistant Commissioners at French Rocks and Krishnarajpet respectively but finally merged again into one Sub Division with the Taluk of Malavally excluded from its jurisdiction. The officers that ~~succeeded~~ were in charge of the division during the period covered by the inspection were Mr. B.Krishna Rao and Mr. C. Narayana Rao, 1st class Magistrates the latter having been invested with the powers of a sub Divisional Magistrate just a few months before his retirement. Mr. N.Subba Rao B.A who took charge of the Division on 1.7.1910, continued to be in charge on the date of inspection. He exercises powers of a 1st class Magistrate with the additional power under section 524 C.P.C. recently granted, with a jurisdiction extending over the Taluks comprised within the Revenue Sub Division. The date of the reconstitution of the present Sub Division after the amalgamation has been/~~the~~ thought to be a conviniant point from which the present inspection could be commenced and accordingly the year 1907 has been taken to be the starting point for purposes of present inspection.

2 Statistics

Statement A appended shows the number of regular cases disposed of since then. 399 cases have been taken on file of which 106 have ended in conviction* , 122 in acquittal, the rest

* out of 106 only 30 were after trial, 20 of them were confirmed as many as seven Sessions B.

rest having been either discharged or otherwise disposed off with 12 cases left pending on the date of inspection.

3 Of the above 12 only 2 cases are old ones having been instituted 5 and 7 of November 1910 (52 and 54 of 1910-11).
52 relates to an offence of Defamation under section of 500 I.P.C. Since then 7 adjournments have been granted, 2 of which being on accounts of the visits of the Sringere Jagadguru and the Revenue Commissioner, the remaining at the request of parties and partly owing to the indisposition of the Magistrate. The case stands adjourned to the 14th and 15th instant. The trial has not yet commenced.

4 Case No.54 is in connection with a charge sheet submitted by the Police of French Rocks Sub Taluk. The case has been taken on file upon a charge sheet transmitted by post by the Police. The case relates to an offence under section 243 I.P.C. In course of the search of the accused's house at Makanakoppal in connection with a different case two lead rupees with the Queen's and King Emperor's affigy thereon are said to have been found along with some other things in a wooden box kept in the house. The offence is a non-bailable one, and nevertheless the Police have enlarged the accused on bail after having kept him in custody for 4 days from 31.5.10. 7 adjournments have been granted by the Magistrate partly owing to the absence of parties and partly to the alleged pressure of Criminal work. On the date of last adjournment namely on the 5th instant the Investigating Officer, Inspector Narasim Iyengar who was summoned as a witness was absent, but subsequently turned up late in the day and is the only witness examined that day in the case.
The case stands adjourned to 17th instant. The accused continued to be on bail.

5 In case No77 of 1910-11 the Police Officer (Inspector Gulam Alli Shariff) summoned, has been similarly found to be absent and the Magistrate remarks to say that this should be brought to the notice of the Superintendent. On account of the absence of the Police Officer the Magistrate has enlarged

enlarged on bail the man accused of an offence under section 454 I.P.C. by the Police.

6 Records. of cases traced through the Register No.I.

Case No.84 of 1907-08 the accused in the case has been convicted of offences under sections 9 and 10 of the Arms Regulation. As there seems to be no locality to which the Government have specially extended the operation of section 10 the quetation of the section 10 seems inapplicable.

7 Case No. 129 of 1907-08 is exactly similar to the above. In this case the gun was originally in the unlicensed possession of Nanjappa of of Adakenahally of the Krishnarajpet Taluk, who subsequently sold it to one Narasappa of Chick-Naikanahalli for Rs.50/. The latter having had the possession without a license sold the gun to the accused in the case for Rs.110/. While the former 2 ought to have been charged along with the accused the Police have charge-sheeted only the last. The remaining two being still at large. Case. No 12 of 1908-09 disposal not noted in the Register .

8 Case No.32, offence under 355, Case discharged has been restored by the same Magistrate.

9 Case No.34 second accused in the case has been originally discharged, but subsequently sentenced . Records are not forthcoming.

Case No.4 of 1909-10 two persons stand charged under section 14 B & E of the Arms Regulation. One of them absconds and his name is not shown in the records, though the case in respect of him has to be kept for 6 months on the file . Case No. 16 the Police constable failing to give information of the arrival of persons possessing counterfeit coin and being also in possession of the same knowing them to be as such is sentenced only to a fine.

10 Case No. 39 of 1909-10 a village post-man having been entrusted for delivery with some V.P. articles, Money-orders and registered letters , committed criminal breach of trust in respect of Rs.8-10-0 (Money Orders) and Rs. 9-4-0 (V.P.) and was convicted and sentenced for all the two counts. Though these

these are distinct offences committed in course of the same transaction and the continuity of action and purpose can be seen from the way in which he carried these articles with the intention of defrauding the Government or the Post Office and not the addresse es concerned (for the complainant is the post master) .
The conviction is allowed to be under the two counts though the sentence is on the whole considered to be not severe in appeal.
A similar view has been taken by the Court of appeal in case No. 89 of 1908-09 (Javare-gowda Bera)
Case No. 19 of 1910-11 under section 430 I.P.C., the records were called for by the District Magistrate on a transfer application and the submission of the record is taken to be the disposal though the same is restored to the file.
Case No.47, complaint under section 379 I.P.C. was ladged before the District Magistrate who referred the case to the 1st class Magistrate for disposal. The Magistrate without recording the statement of the complainant on oath as required by Section 202 C.P.C. referred the case for Police Investigation. The report submitted by the Police has been accepted by the Magistrate without hearing the party. The written statements of the accused without eliciting the facts by the examination of the accused have been admitted. (Case no. 51 of 1910-11 under section 307 I.P.C.)

2 Miscellaneous Register

This register is fraught with several irregularities.. The complaints referred to the Police are unsupported by the statement on oath . The remarks made in the Inspection report of the Mysore Sub-Division Court also apply here. Numerous cases which ought to be dismissed have been struck off and vice versa. Entries regarding the nature of effence and the section of the I.P.C. has not at all been made in the register. As may be seen from statement C appended to the report , 12 cases of the year 1907 are said to be pending with the Police as per register but according to monthly statement only 4 cases are pending . Either the disposal of the remaining cases is not noted in the register or the monthly statement is itself incorrect. Taking 4 cases as pending with the Police

Police for the year 1907-08, it is not creditable to the Police that 22 cases should be pending with them for report. 9 of them being more than 3 years old. This will be brought to the notice of the Assistant Superintendent of Police. 12 cases pending on the date of inspection on the mis side call for no remark.

13 Case struck off for want of jurisdiction instead of directing the party to present it before a competent Magistrate (case No. 117 of 1908-09)

14 Nothing is known of cases 23 and 24 of 1907-08 as per register. Case No.90 of 1909-10 under section 430, complainant not examined on oath but asked to appear on a certain date. On that day he did not appear, case struck off.

Restored to file on application and again struck off when the complainant could not press the complaint further. Similarly in case No. 19 of 1909-10. Case Nos. 69 of 1908-09 under sec. 500 I.P.C., 21 of 09-10 under section 342 I.P.C. triable respectively by a 1st class and 2nd class Magistrates are referred to a 3rd class Magistrate for disposal.

15 Property Register.

Property register is also indifferently maintained. Valuable property ordered to be restored to the parties has been delivered neither in the court nor before the Magistrate. At least the Magistrate's approval has not been taken for the receipt obtained nor parties' acceptance taken in many cases vide serial No. 31, 5 A of 1908-09 (Criminal case No. 105 of 1907-08)

Serial No. 44 of 1907-08
" 16 of 1907-08
" 11 of 1908-09
" 17 of 1908-09

16 In some cases whether the property is forth-coming or delivered to the parties is not assertainable from the records. Serial No.15 of 1908-09 and 1 of 1909-10.

No Magistrate has examined this register.

17 There is nothing to indicate that any of the Magistrates in charge has satisfied himself that the undelivered properties mentioned in the register are forthcoming in the court, nor is a certificate as required by the circular instructions made in the Register

Register at any time during the period covered by the inspection. The present Magistrate is requested to make out a list of such properties whether unclaimed or etherwise and to submit it within three months from the receipt of this with a certificate as to how they have been disposed off. Since the Magistrate is invested with the powers under section 524 C.P.C there will ,it is hoped, be no difficulty to dispose of them all as early as possible before the list is submitted to the District Magistrate

18 Fine Register. This is also slovenly maintained. Fines relating to the files of the courts of the Assistant Commissioners attached to the late French Rocks sub Division and in charge of the Krishnarajpet Sub Division have been brought on the Register without the corresponding entries being traced in the Registers of the respective courts. The effect is that while the fines have been recovered the same are shown as unrecovered against original entries in the Registers of the courts that levied the fine. Vide serial Nos. 11,12, to 17 of 1908-09.

19 Treasury certificates have not been obtained for fines remitted on 23.7.1907 vide serial No.1 and 2 of 1907-08. Serial No. 19 of 1908-09 a fine of Rs.15/ is levied in case No. 18 . date of sentence 20.8.08 and date of remittance on 27.8.08

20 No order is made for the grant of time to pay the fine and yet a muchalika is taken by the convicted for payment of fine within 3 days without the knowledge of the Magistrate. The fine is actually paid 4 days after without the order of imprisonment in default being brought into effect. Date of recovery of fine has been left out in many cases.

21 Cash Register. Delay for the remittance of amounts brought on the Cash Register has been duly accounted for. A sum of Rs.80 / brought on cash register on 14.12.08 is remarked to have been kept in the cash chest pending disposal of the case. Misc. Case No.77 of 1908-09 to which this section relates has been submitted to the District Magistrate. No remark is inserted in the cash register as to whether the sum also was sent along with

with the record nor is the property traceable in the Property register. This is a serious omission which needs explanation. The 1st class Magistrate has been asked to investigate into this and submit a report within one month from the date of receipt of this memo.

22 Witness Register is maintained according to the circular on the subject and calls for no remarks; as also the stamp register the entries of which were verified with reference to the records examined as above and found to be correct.

23 Conditions of the Records. Records of many years have been kept in the court and the clerks in charge of them from time to time could not when questioned, say when the last instalment of records was sent to the Central Record. That this condition of records should prevail inspite of instructions from the Chief court and reminders from the District Magistrate, urging for their immediate despatch to the central record room is scarcely tolerable.

24 It is hoped that by the end of the current official year all the records of more than 6 months old calculated from the date of their disposal will be sent to the Central record and a report to that effect made to the District Magistrate by the beginning of the next year.

25 The court is situated in the central hall of a commodious building with sufficient room for the establishment to work. The building and its surroundings are kept clean.

sd.M.Kantharaj Urs
District Magistrate of Mysore

'Copy'

~~Copy~~

8/3. District Magistrate of Mysore.
24

15

Details of Miscellaneous cases disposed of since 1907-08 to 15th April 1911

First Class Magistrate Court. Tranquebar.

Year	B. Report disposed off	C. Report disposed off	Miscellaneous complaint petitions disposed	Disposed of under sections of Criminal procedure Code					License cases	Pending with the police	Pending with the Magistrate	Total
				145	488	109	514	Disposed off properly				
1	2	3	4	5	6	7	8	9	10	11	12	13
1907-08	59	5	102	9	2	1	-	-		12	-	190
1908-09	19	16	86	10	6	---	-	-		5	---	142
1909-10	19	6	99	10	3	1	2	1	5	6	2	154
1910-11	22	14	24	2	1	1	-	-	1	7	12	84
	119	44	311	31	12	3	2	1	6	30	14	570

According to the monthly returns only 4 cases viz. 141, 173, 186, and 189 are pending with the police but according to the Register cases pending are 12 viz 23, 24, 32, 61, 77, 78, 79, 103 and those noted above. It is not possible to trace out what became of these files unless they are police pending.

Abdul Rahman

Offg: District Magistrate

Mysore

2.5.11

Details of Regular Cases disposed of Since 1907 - 1908 & 15th April 1911

First Class Magistrates Court Panch Rocks

Year	No. of cases discharged	No. of Cases acquitted	No. of Cases convicted	No of cases committed to the Court of Sessions	No of Cases transferred	No. of cases Struck off	No of Cases for keeping good behaviours	No. of Cases Pending	Total	Remarks
1	2	3	4	5	6	7	8	9	10	11
1907 - 1908	48	43	42	4	1	1	1	-	140	
1908 - 1909	19	38	23	1	15	2	-	-	98	
1909 - 1910	19	32	25	3	-	5	-	-	84	
1910 - 1911	20	9	16	2	15	2	1	12	77	
	106	122	106	10	31	10	2	12	399	

Abdulla

Offg: District Magistrate
Bangalore

2

Statement showing the results of appeals against the order of the 1st class Magistrate/Court French Rocks from 1907-08 to 13th April 1911.

Year	Sentences upheld	Sentences altered	Sentences set aside	Remarks
1907 - 1908	7	1	3	Case No. 138 of 1907-08 was
1908 - 1909	6	1	-	discharged in this Court
1909 - 1910	2	1		but was ordered to be
1910 - 1911	5	2	2	re-tried by the District Magistrate
	20	5	5	

Abraham VP

Offg: District Magistrate
Q Mysors

10

1218

G.R.S. 28]

File No. 182-10

Serial No. 15

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(cs)

, *the* 19

Date of issue Printed 24/6/12

Signed by S. Srinivasaraya

READ—

Office memo no J 1232-9/ cs 182-10-1 dt 15-10-10 calling for the notes of Inspection by Dt. Magtes of all the Courts of Asst. Commrs & 1st class Magtes in their

ORDER THEREON.—No.

respective Districts.

2 communications from the Dt. Magistrates in reply to the above Order thereon: No. J 3722-36

The Inspection Reports

over.

SUBJECT.

GPB—10,000-29-9-10

submitted by the Dt. Magistrates disclose a number of irregularities the more important of which are mentioned below:

i) The Courts of Asst. Comm^{r} Magistrates are not inspected at regular or frequent intervals. There are instances of courts which have not been inspected by any superior officer for years.

ii) As may be expected from this laxity, there has been a lack of promptitude in the disposal of cases by Magistrates.

(iii) Laxity of supervision over the office has resulted in laxity in the administration of Stamp rules, disposal of property, assortment of records & recovery of fines.

2. In the Bangalore Dt, in three of the cases instituted in the Court of the Asst. Comm^{r} in charge of Dodballapur Sub-Division, Compensation amounts recovered in August & September 1908 have

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

not yet been paid to the complainants & in the Court of the Closepet Sub-Division Magte several unclaimed properties are pending disposal since 1904.

3 ——— In the Special Magte Court, K.G. Fields, cases against certain persons who have absconde & whose whereabouts are not known, have been adjourned Sine die without being struck off the file as required by the Rules of Practice. ———

4. ——— In the Dumkur Dt., in the Court of the Gubbi Sub-Divis Magte, the form of the Cash Register has not been altered according to the latest Chief Court circular, although the Dt. Magte drew the attention of the presiding officer to it in the course of his inspection of the Court. The work of disposing of property produced in the Court is also in arrears. ———

5 In the Mysore Dt, the Court of the Asst. Comm[r] of the French Rocks circle was not inspected between 1899 & 1911 and the last inspection has brought to notice several irregularities in the way registers are maintained. In some cases, the ~~way~~ manner in which properties have been disposed of cannot be made out. A Sum of Rs 80/ brought on the Casta Register on 14.12.1908 & said to have been kept in the cash chest is not forthcoming. The result of the enquiry which the Dt. Magte of Mysore has ordered should be reported to Govt., through the Chief Court. In the Nanjangud Sub-Division Magte's Court, some of the stamps on documents are reported to be missing & in two cases stamps of less value than is entered in the Register are found in the Records & several cases of stamps not punched are brought to notice.

GPB—15,000—13-11-11

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

In the city Magte's court at Mysore, very long adjournmen have been granted & property consisting of several gold coins is reported to have been made ove by the Head Munshi of the court to two lads without their identity being established.

6. In the Hassan Dt., in the Court of the Chennarayapatna Sub-Division Magte, the average duration in the disposal of cases is high & the reasons assigned for the extra-ordinary delay of nearly 3 years in the disposal of case no. 6-8 of 1907-08 afford interesting reading. Considerab delay is also noticed in the disposal of properties both in th Sakalespur & the Treasury Asst Comm^r Magistrates' Courts.

7. In the Court of the Asst. Comm Magistrate of the Shimoga Divisio there is much laxity in the

disposal of cases & in one case the delay ~~dilatoriness on the part of the Magte~~ resulted in the parties taking the law into their own hands. In another case, the original order of disposal of property by the Magte is missing. In the Safar Sub-Divisional Magte's court, frequent adjournments have been granted in a large number of cases.

8. In the Kadur Dt., there is a heavy arrear of fines unrecovered & an item of Rs 300/ is pending recovery for over 6 years. The records of the Courts of the Dy. Asst. Comm^r Magte & the Sub-Division Magte are retained in the Courts without the indexes being written up & sent to the Judicial record room of the Dt. office.

9. In the Chitaldrug Dt, the records of the Davangere Sub-Division Magte's court remain mostly unassorted

APB—15,000—13-11-11

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

& indexes have to be written up in many of the appeal cases. The records of the court of the Dry. Asst. Commr Magts have not been divided into parts.

10. On a careful perusal of these reports, Govt are of opinion that inspections of courts ~~prefected over~~ by Asst. Commr Magtes, by Dt. Magtes once a year atleast is ~~quite~~ essential. The Chief Court is accordingly requested to see that this work is carefully and regularly done by the Dt. Magtes.

25/11 Secy to Govt.

To. The Dt. Magtes & Dts

" Registrar, Chief Court of Mysore.

Print

K.N. (123) 6.5.12

Proceedings of the Government of His Highness the Maharaja of Mysore,

READ—

Office Memo No. J. 1232-9—Cts. 182-10-1, dated the 15th October 1910, calling for the notes of inspection by District Magistrates of all the Courts of Assistant Commissioner and 1st Class Magistrates in their respective districts.

2. Communications from the District Magistrates in reply to the above.

No. J. 3722-30—Cts. 182-10-15, dated Bangalore, 24th June 1912.

Order thereon.—The inspection reports submitted by the District Magistrates disclose a number of irregularities, the more important of which are mentioned below :—

(i) The Courts of Assistant Commissioner Magistrates are not inspected at regular or frequent intervals. There are instances of Courts which have not been inspected by any superior officer for years.

(ii) As may be expected from this laxity, there has been a lack of promptitude in the disposal of cases by Magistrates; and

(iii) Laxity of supervision over the office has resulted in laxity in the administration of stamp rules, disposal of property, assortment of records and recovery of fines.

2. In the Bangalore District, in three of the cases instituted in the Court of the Assistant Commissioner in charge of the Dodballapur Sub-Division, compensation amounts recovered in August and September 1908, have not yet been paid to the complainants and in the Court of the Closepet Sub-Division Magistrate several unclaimed properties are pending disposal since 1904.

3. In the Special Magistrate's Court, Kolar Gold Fields, cases against certain persons who have absconded and whose whereabouts are not known, have been adjourned *sine die* without being struck off the file as required by the Rules of Practice.

4. In the Tumkur District, in the Court of the Gubbi Sub-Division Magistrate, the form of the cash register has not been altered according to the latest Chief Court Circular, although the District Magistrate drew the attention of the presiding officer to it in the course of his inspection of the Court. The work of disposing of property produced in the Court is also in arrears.

5. In the Mysore District, the Court of the Assistant Commissioner of the French Rocks Circle was not inspected between 1899 and 1911 and the last inspection has brought to notice several irregularities in the way registers are maintained. In some cases, the manner in which properties have been disposed of cannot be made out. A sum of Rs. 80 brought on the cash register on the 14th December 1908, and said to have been kept in the cash chest is not forthcoming. The result of the enquiry which the District Magistrate of Mysore has ordered should be reported to Government, through the Chief Court. In the Nanjangud Sub-Division Magistrate's Court, some of the stamps on the documents are reported to be missing, and in two cases stamps of less value than is entered in the register are found in the records and several cases of stamps not punched are brought to notice. In the City Magistrate's Court at Mysore, very long adjournments have been granted and property consisting of several gold coins is reported to have been made over by the Head Munshi of the Court to two lads without their identity being established.

6. In the Hassan District, in the Court of the Channarayapatna Sub-Division Magistrate, the average duration in the disposal of cases is high and the reasons assigned for the extraordinary delay of nearly three years in the disposal of case No. 68 of 1907-08, afford interesting reading. Considerable delay is also noticed in the disposal of properties both in the Saklespur and the Treasury Assistant Commissioner Magistrates' Courts.

Judicial and Legislative (Courts), dated 24th June 1912.

7. In the Court of the Assistant Commissioner Magistrate of the Shimoga Division, there is much laxity in the disposal of cases and in one case the delay resulted in the parties taking the law into their own hands. In another case, the original order of the disposal of property by the Magistrate is missing. In the Sagar Sub-Divisional Magistrate's Court, frequent adjournments have been granted in a large number of cases.

8. In the Kadur District, there is a heavy arrear of fines unrecovered and an item of Rs. 300 is pending recovery for over six years. The records of the Courts of the Treasury Assistant Commissioner Magistrate and the Sub-Division Magistrate are retained in the Courts without the indexes being written up and sent to the Judicial Record Room of the District Office.

9. In the Chitaldrug District, the records of the Davangere Sub-Division Magistrate's Court remain mostly unassorted and indexes have to be written up in many of the appeal cases. The records of the Court of the Treasury Assistant Commissioner Magistrate have not been divided into parts.

10. On a careful perusal of these reports, Government are of opinion that inspection of Courts of Assistant Commissioner Magistrates, by District Magistrates, once a year at lest is essential. The Chief Court is accordingly requested to see that this work is carefully and regularly done by the District Magistrates.

K. R. SRINIVASIENGAR,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The Registrar of the Chief Court of Mysore.
The District Magistrates of Districts.

Exd.—C. R.

12. From the D.M. Mysore. No 543 dated 25-3-11.
forwards the notes of inspection of the Mysore City magistrates
court and promises to submit his report about the
Nanjangud Sub divisional Court by the end of this month

13. From the same officer. No 558 dated 1-4-11.
submits his notes of inspection of the courts of the
1st class magistrates in charge of the Nanjangud Sub-
division and the Yelandur Jaghir and states that the
notes of inspection relating to the French Rocks
Subdivision will be forwarded by the 15th inst.

14. From the same officer. No 597 dated 18-4-11.
forwards his report of the inspection of the court
of the French Rocks Subdivision.

15. To all DC magistrates and the Registrar, chief court
No J 3722-30 dated 24-6-12

Notes the irregularities etc disclosed by the reports en
states, as the opinion of the Govt, that inspection of
courts of Asst Commissioner magistrates by DC magis-
trates once a year at least is essential and requests
the Regr to see that it is carefully and regularly
done